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5 Attorney for Plaintiff
 ALISON DAVI, a Minor, by and through her
 6 General Guardian, GIOLARMA DAVI

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 ALISON DAVI, a Minor, by and through)
 12 her General Guardian, GIOLARMA DAVI,)
 13 Plaintiff,)

CIVIL ACTION
 CASE NO.: CV 08-04095 RMW

14 v.)
 15 CITY OF SEASIDE, CALIFORNIA,)
 KEVIN MILLER and DOES 1 through 25,)
 16 inclusive,)
 17 Defendants.)

**STIPULATION TO CONTINUE
 HEARING ON DEFENDANTS' MOTION
 TO DISMISS AND CASE
 MANAGEMENT CONFERENCE AND
 [] ORDER**

Judge: Hon. Ronald M. Whyte

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 19 **IT IS HEREBY STIPULATED** by and between the parties to this Stipulation, by and
 20 through their respective counsel of record, that the hearing on defendants Motion to Dismiss be
 21 continued from Friday, December 19, 2008 at 9:00 A.M. in Courtroom 6 to Friday, January 30,
 22 2009 at 9:00 A.M. in Courtroom 6. The reason for this continuance is due to calendar conflicts
 23 between counsel.

24 **IT IS FURTHER HEREBY STIPULATED** by and between the parties to this
 25 Stipulation, through their respective counsel of record and is respectfully requested that the Court
 26 continue its Case Management Conference, currently set for Friday, January 9, 2009 at 10:30
 27 A.M. to Friday, January 30, 2009 at 10:30 A.M. The reason for this continuance is to allow the
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1 Motion to Dismiss to be heard first and, depending upon the Court's ruling upon said motion, the
2 Case Management Conference would follow the hearing, or be removed from calendar.

3 DATED: November 21, 2008 LAW OFFICES OF ROBERT D. PONCE

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5 BY: /s/ Robert D. Ponce
6 Robert D. Ponce
7 Attorney for Plaintiff, ALISON DAVI, a Minor by
and through her General Guardian, GIOLARMA
DAVI

8 DATED: November 23, 2008 HOWARD ROME MARTIN & RIDLEY LLP

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10 BY: /s/ Joseph C. Howard, Jr.
11 Joseph C. Howard, Jr.
12 Attorneys for Defendants, CITY OF SEASIDE and
KEVIN MILLER

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13 **ORDER**

14 PURSUANT TO STIPULATION, IT IS ORDERED that the hearings on Defendants'
15 Motion to Dismiss and the Case Management Conference be continued to January 30, 2009 at
16 9:00 A.M. and 10:30 A.M., respectively.

17 Dated: 12/4/08

Ronald M. Whyte

Hon. Ronald M. Whyte
UNITED STATES DISTRICT JUDGE

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