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E-FILED - 6/23/10

Attorneys for Defendants CITY OF SUNNYVALE,
CHIEF DON JOHNSON, OFFICER STEVEN ROCHEVILLE,
LIEUTENANT TRACY HERN, OFFICER SCOTT CORTESE,
And CAPTAIN KELLY FITZGERALD

UNITED STATE DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUSSELL COLE and STEPHANIE OBERG,

Plaintiffs,

vs.

SUNNYVALE, CHIEF DON JOHNSON,
OFFICER STEVEN ROCHEVILLE,
LIEUTENANT TRACY HERN, OFFICER
SCOTT CORTESE, and CAPTAIN KELLY
FITZGERALD,

Defendants.

Case No.: C08-05017 RMW

**STIPULATION AND [] ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE**

The parties, acting by and through their respective legal counsel, herein stipulate for an Order continuing the Case Management Conference presently set for Friday, July 23, 2010 to Friday, August 27, 2010 at 10:30 a.m. in Courtroom 6, 4th Floor of the U.S. District Courthouse located at 280 S. 1st St., Rm. 2112, San Jose, California. Good cause exists to move the Case Management Conference for the following reasons.

Defense counsel Gregory M. Fox is scheduled to depart on a prearranged vacation on that date.

Counsel have met and conferred on the August 27, 2010 date and the Court has also indicated that this date is available for the Honorable Ronald M. Whyte.

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BERTRAND, FOX & ELLIOT

By: /s/

KALLIS & ASSOCIATES P.C.

By: /s/

BUSTAMANTE O'HARA & GAGLIASSO

By: _____/s/

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/s/
Gregory M. Fox

ORDER

The Case Management Conference in the above entitled case shall be continued from July 23, 2010 to August 27, 2010. Counsel shall submit an updated joint statement one week prior.

IT IS SO ORDERED.

Dated: 6/23/10



UNITED STATES DISTRICT COURT JUDGE