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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Troy Jackson, et al.,

NO. C 08-05376 JW

Plaintiffs,

v.

Oak Grove School District, et al.,

Defendants.

**ORDER APPOINTING PRO BONO  
COUNSEL; DENYING MOTION TO  
DECIDE PROTECTIVE ORDER;  
VACATING CASE MANAGEMENT  
CONFERENCE**

Plaintiffs have requested and are in need of counsel to assist them in this matter. On April 30, 2009, the Court referred the case to the Federal Pro Bono Project. (See Docket Item No. 42.) On September 23, 2009, the Federal Pro Bono Project notified the Court that volunteer attorneys were willing to undertake this representation. (See Docket Item No. 68.) Three volunteer attorneys entered their appearances the same day. (See Docket Item No. 69.) Accordingly, attorneys Denise De Mory, Sriranga Veeraraghavan, and Lindsay White, all of Howrey LLP, are hereby appointed counsel for Plaintiffs Evelyn, Troy, and J.J. Jackson in this matter.

Presently before the Court is Plaintiffs' Motion to Decide Protective Order.<sup>1</sup> On September 2, 2009, Magistrate Judge Howard Lloyd issued a Protective Order Protecting Privacy Rights of Minors. (hereafter, "Order," Docket Item No. 63.) Plaintiffs contend that the Order is premature since the Court gave them until September 25, 2009 to secure new counsel. (Plaintiffs' Motion at 1-


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<sup>1</sup> (Requesting Honorable Judge James Ware to Decide Protective Order, If Protective Order is Not Deemed Premare [sic] Due to Case Being Stayed and Plaintiffs' Counsel to Accept Case by September 25, 2009, hereafter, "Plaintiffs' Motion," Docket Item No. 65.)

1 2.) The Court finds good cause to provide time for newly appointed Plaintiffs' counsel to review the  
2 Order and to take any further action, if necessary, after they have had the opportunity to do so.  
3 Accordingly, the Court DENIES Plaintiffs' Motion and invites Plaintiffs' counsel to file proper  
4 objections to Magistrate Lloyd's Order as they see fit.

5 In light of appointment of counsel, the Court continues the Case Management Conference  
6 currently set for October 5, 2009 to **October 26, 2009 at 10 a.m.** in order to provide new counsel  
7 time to meet and confer with their clients and opposing counsel.<sup>2</sup> On or before **October 16, 2009**,  
8 the parties shall file a Joint Case Management Statement.<sup>3</sup> The Statement shall include, among other  
9 things, the parties' proposed schedule on how the case should proceed and a good faith discovery  
10 plan with a proposed date for the close of all discovery.

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12 Dated: September 29, 2009

  
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JAMES WARE  
United States District Judge

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23 <sup>2</sup> In light of the Court's Order continuing the Case Management Conference set for October  
24 5, 2009, Counsel for Defendant Adam Fiss' Motion to Appear Telephonically is DENIED as moot.  
25 (See Motion by Counsel for Defendant Adam Fiss to Appear and Participate Telephonically at  
Further Case Management Conference, Docket Item No. 71.) Since the October 26, 2009 Case  
Management Conference will be the first with newly appointed Plaintiffs' counsel, the Court expects  
counsel for all parties to appear in person and will not grant any further requests to appear  
telephonically.

26 <sup>3</sup> The Court notes that on September 24 and 25, 2009, the parties each filed separate Case  
27 Management Statements. (See Docket Item Nos. 70 and 72.) For the October 16, 2009 deadline, the  
28 parties shall file their Case Management Statement jointly.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Deanna Jean Mouser dmouser@aalrr.com  
3 Denise M. De Mory demoryd@howrey.com  
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7 Sriranga Raghavan Veeraraghavan srv@howrey.com

8 **Dated: September 29, 2009**

**Richard W. Wieking, Clerk**

9 **By:           /s/ JW Chambers**  
10 **Elizabeth Garcia**  
11 **Courtroom Deputy**

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