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6 Attorneys for Defendants
 CITY OF SUNNYVALE,
 CHRIS SEARLE and DARREN PANG
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8 UNITED STATE DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 ERIKA CANAS, JOSE CANAS, a minor, by
 and through his guardian ad litem, and JESUS
 12 CANAS, by and through his guardian ad litem,

Case No.: C08-05771 JF (PVT)

**STIPULATION AND ~~PROPOSED~~ ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE**

13 Plaintiffs,

14 vs.

15 CITY OF SUNNYVALE, CHRIS SEARLE,
 DARREN PANG and DOES ONE through
 TWENTY-FIVE,
 16

17 Defendants.

18 The parties, acting by and through their respective legal counsel, herein stipulate for an Order
 19 continuing the Case Management Conference and related filing requirements including the joint
 20 statement and Rule 26 disclosures and Report from Friday, 10:30 a.m., July 17, 2009 to a new
 21 hearing date for the CMC on Friday, 10:30 a.m., September 4, 2009. The filing date of the Joint
 22 Case Management Statement and the date for initial disclosures and Rule 26(f) Report are continued
 23 to August 28, 2009.

24 Good cause exists for this stipulation because defendants have filed a motion to dismiss the
 25 plaintiffs' second amended complaint which is scheduled for hearing on Friday July 17, 2009. It is
 26 therefore presently uncertain which causes of action, if any, will proceed. The parties agree that said
 27 motion should be resolved and the case be "at issue" before the Case Management Conference is
 28 held with the Court.

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So Stipulated:

Dated: June 30, 2009

ROBERTS & ELLIOT LLP

By: _____
James Roberts, Attorney for Plaintiffs

Dated: June 26 , 2009

BERTRAND, FOX & ELLIOT

By: _____
Gregory M. Fox
Attorneys for Defendants
CITY OF SUNNYVALE, CHRIS SEARLE and
DARREN PANG

ATTORNEY ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/s/) within this E-filed document.

Dated: July 1, 2009


Gregory M. Fox

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ORDER

Good cause appearing, the stipulation is so ordered.

Dated: July 2, 2009



Honorable Jeremy Fogel
UNITED STATES DISTRICT COURT