

E-FILED - 3/24/11

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 TIMOTHY CLEVELAND,
4

5 Plaintiff,

6 vs.

7 ISABELLA’S AT WHARFSIDE,
8 INC., dba ISABELLA’S
9 RESTAURANT; TENE SHAKE;
10 CITY OF MONTEREY;
11 FISHERMAN’S WHARF
12 COMPANY, LP; CHRIS SHAKE,
13 individually and dba FISHERMAN’S
14 WHARF COMPANY, LP;
15 WHARFSIDE RESTAURANT, INC.;
16 ANTHONY J. PALMA, individually
17 and dba WHARFSIDE
18 RESTAURANT; JOSEPHINE
19 PALMA, individually and dba
20 WHARFSIDE RESTAURANT;
21 SALVATORE RAPP, individually
22 and dba WHARFSIDE
23 RESTAURANT; JOSEPHINE
24 RAPP individually and dba
25 WHARFSIDE RESTAURANT;
26 PALMA/WHARFSIDE, LTD. ; and
27 DOES 1-10, inclusive,
28

Defendants.

Case No.: C09 02376 RMW (PSG)

**STIPULATION AND
ORDER RE: RESCHEDULING
HEARING ON PLAINTIFF’S MOTION
FOR FEES AND COSTS AND
VACATING DATE FOR CASE
MANAGEMENT CONFERENCE**

25 The parties to the above captioned litigation hereby stipulate by and through their
26 undersigned attorneys of record to the following:

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STIPULATION AND ORDER RE:
RESCHEDULING HEARING ON PLAINTIFF’S MOTION FOR FEES AND COSTS
AND VACATING CASE MANAGEMENT CONFERENCE

C09 02376 RMW (RSG)

1 1. The hearing on Plaintiff's Motion for Fees and Costs be moved from April 22,
2 2011, at 9:00 a.m. to May 6, 2011, at 9:00 a.m.

3 2. The briefing schedule regarding the Plaintiff's Motion for Fees and Costs remain
4 the same based on the April 22, 2011 hearing date. Defendants' Opposition Brief to Plaintiff's
5 Motion for Fees and Costs is due filed on or by April 1, 2011 and Plaintiff's Reply Brief is due
6 filed on or by April 15, 2011.

7 3. The Case Management Conference scheduled for April 15, 2011 be taken off
8 calendar.

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10 Dated: March 23, 2011

LAW OFFICES OF PAUL L. REIN

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12 By: _____/S/_____
13 CELIA McGUINNESS, ESQ.
14 Attorneys for Plaintiff TIMOTHY CLEVELAND

15 Dated: March 23, 2011

STUBBS & LEONE

16
17 By: _____/S/_____
18 CLAUDIA LEED, ESQ.
19 Attorneys for Defendant CITY OF MONTEREY

20 Dated: March 23, 2011

BERLINER & COHEN

21
22 By: _____/S/_____
23 FRANK UBHAUS, ESQ.
24 Attorneys for Defendants ISABELLA'S AT
25 WHARFSIDE, INC. dba as ISABELLA's
26 RESTAURANT, TENE SHAKE, ANTHONY J.
27 PALMA, individually and dba WHARFSIDE
28 RESTAURANT; JOSEPHINE PALMA,
individually and dba WHARFSIDE
RESTAURANT

ORDER

Pursuant to the Stipulation of the Parties it is so ordered.

Dated: 3/24/11


SENIOR DISTRICT COURT JUDGE
RONALD WHYTE

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