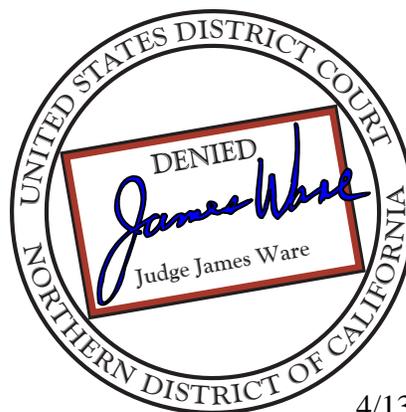


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7 Attorney for plaintiff RONALD HEIMAN



4/13/2010

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8 **IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

12 RONALD HEIMAN,
13 *Plaintiff,*
14 v.
15 OFFICER JOHNSON, BADGE NO.
16 3827; SERGEANT BALDAL, BADGE
17 NO. 3479; OFFICER A. GROGAN,
18 BADGE NO. 3972; JOHN DOE and
19 RICHARD ROE, police officers for the
20 City of San Jose, the identity and number
21 of whom are unknown to plaintiff;
22 ROBERT DAVIS, individually and in his
23 capacity as Chief of Police for the City of
24 San Jose; CITY OF SAN JOSE, a
25 municipality; DOES 1 through 100,
26 *Defendants.*

No. 09-02617 JW

STIPULATION AND [PROPOSED]
ORDER AMENDING SCHEDULING
ORDER

22 **IT IS HEREBY STIPULATED** by and between the parties hereto through their respective
23 attorneys of record that having met and conferred that all dates with the exception of the upcoming
24 Settlement Conference and Preliminary Pretrial Conference be **VACATED**.

25 The grounds for this stipulation and order are that this matter has been related by Judge
26 Fogel to the matter of *Cicala, et al. v. City of San Jose, et al.*, Northern District of California case number
27 CV 08-04032 JF, and that this matter has been stayed for some but not all purposes. Although

28 Stipulation and [Proposed] Order Amending Scheduling Order

1 certain fact discovery is continuing in this matter, other discovery must be coordinated with the
2 related matter. Expert disclosure is impossible with respect to *Monell* issues at this time. The parties
3 therefore believe that the Settlement Conference should proceed, and that the current scheduling
4 order be vacated and discussed at the Preliminary Pretrial Conference currently calendared for 26
5 April 2010.

8 Dated: 7 April 2010

BOSKOVICH & APPLETON

9 /s/Anthony Boskovich
10 By: _____
11 ANTHONY BOSKOVICH,
12 Attorney for Plaintiff

11 Dated: 7 April 2010

OFFICE OF THE CITY ATTORNEY

13 /s/ Clifford Greenberg
14 By: _____
15 Clifford Greenberg
16 Attorney for Defendants

It is so ordered:

16 The request to vacate the April 26, 2010 Preliminary Pretrial Conference is DENIED. The
17 Preliminary Pretrial Conference remains on calendar as previously scheduled.

18 Dated: April 13, 2010

19 _____
20 *James Ware*
21 The Honorable James Ware
22 Judge of the United States District Court