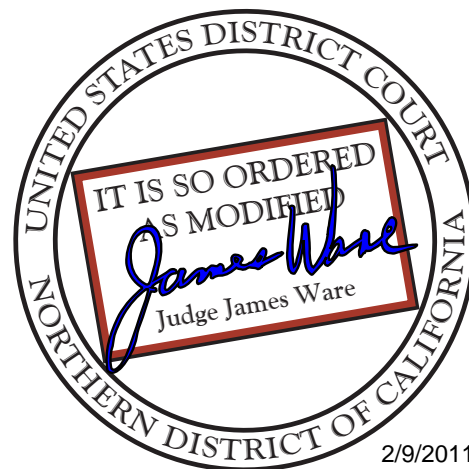


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5 Attorney for plaintiff RONALD HEIMAN



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

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

No. 09-02617 JW

STIPULATION AND [REMOVED]
ORDER ADVANCING DATE FOR
CASE MANAGEMENT CONFERENCE;
JOINT CASE MANAGEMENT
STATEMENT

IT IS HEREBY STIPULATED by and between the parties hereto through their respective attorneys of record that having met and conferred regarding the respective calendars of counsel that the Scheduling Order shall be amended as follows:

1. Case management conference currently calendared for 14 February 2011 be advanced to 4 April 2011 at 11:00 A.M.;

1 This request is submitted jointly on behalf of plaintiff's counsel and defendants'
2 counsel. In the lead case of the coordinated actions, *Cicala, et al. v. City of San Jose, et al.*, case number
3 CV 08-04032 JF (PSG), the parties are in the process of preparing and evaluating a settlement
4 proposal for the injunctive relief part of the cases. Now that a new chief of police has been
5 appointed, the City has presented to plaintiffs the documents that plaintiffs have asked for in order
6 to be able to prepare a settlement demand. That demand will be made late next week. The parties
7 are optimistic that a resolution can be achieved based upon the discussions had with and among
8 counsel. Because of the above, Judge Fogel continued the case management conference in the lead
9 case until 1 April 2011 in order to allow the settlement process to proceed.

10 Additionally, plaintiff's counsel is set for trial in he matter of *Grandy v. United States of America*,
11 Central District of California case number CV 09-01270 JHN RZx, calendared to commence in Los
12 Angeles on 15 February 2011. Counsel needs to be in Los Angeles on 14 February in order to
13 prepare with co-counsel. The United States has indicated that the case will not settle, and trial is set
14 to proceed.

15
16 Dated: 8 February 2011

BOSKOVICH & APPLETON

17 /s/Anthony Boskovich
18 By: _____
19 ANTHONY BOSKOVICH,
Attorney for Plaintiff

20 Dated: 8 February 2011

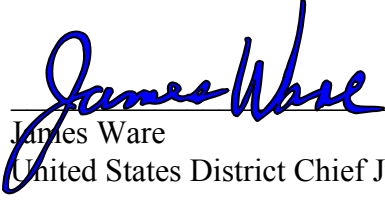
OFFICE OF THE CITY ATTORNEY

21 /s/ Clifford Greenberg
22 By: _____
23 Clifford Greenberg
Attorney for Defendants

IT IS SO ORDERED

24 On or before March 25, 2011, the parties shall file a Joint Case Management Conference statement
25 including, *inter alia*, an update on settlement efforts and a good faith schedule as to how the case
26 should proceed.

27 Dated: February 9, 2011


James Ware
United States District Chief Judge