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7 Attorneys for Plaintiff Surf and Sand, LLC

8 UNITED STATES DISTRICT COURT OF CALIFORNIA  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10

11 SURF AND SAND, LLC, a California  
 Limited Liability Company,

12 Plaintiff,

14 v.

15 CITY OF CAPITOLA; BOB BEGUN;  
 16 SAM STOREY; RONALD GRAVES;  
 KIRBY A. NICOL; DENNIS NORTON;  
 and DOES 1 through 100, inclusive,

17 Defendants.

Case No.: C09-05542 RS  
 (Related to 07-05043 RS)

Case Assigned to:  
 Honorable Richard Seeborg  
 Courtroom: 3

**E FILING**

**STIPULATION AND ~~PROPOSED~~  
 ORDER RE JOINT PROPOSED  
 SCHEDULE AS MODIFIED BY THE COURT**

22 The parties propose the following Joint Proposed Schedule:

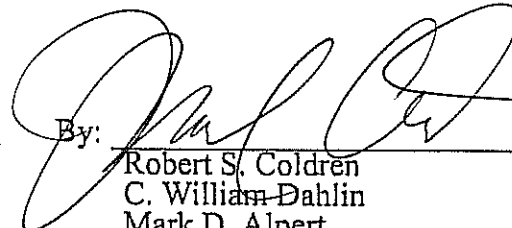
- 23 1. Last day to join other parties: March 1, 2011.  
APRIL 7, 2011
- 24 2. Last day to complete factual discovery: ~~May 20, 2011.~~  
March 10, 2011
- 25 3. Last day for disclosure of experts and reports: ~~April 22, 2011.~~  
April 17, 2011
- 26 4. Last day for disclosure of rebuttal experts and reports: ~~May 9, 2011.~~
- 27 5. Expert discovery cut-off: June 3, 2011.
- 28 6. ~~Last day to file motions (discovery and dispositive): May 31, 2011.~~  
Dispositive motions shall be heard by April 21, 2011

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 SANTA ANA, CALIFORNIA 92707

- 1 7. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from all
- 2 parties by June 2, 2011.
- 3 8. Parties should have ten (10) days after service of final lists of witnesses and
- 4 exhibits to list objections under Rule 26(a)(3). June 9, 2011 at 10:00 a.m.
- 5 9. ~~(Proposed)~~ date for Pre-Trial Conference: ~~June 14, 2011.~~
- 6 10. ~~(Proposed)~~ trial date: June 20, 2011, at 9:00 a.m.


7 Dated: July 23, 2010

HART, KING & COLDREN

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9  
10 By:   
11 Robert S. Coldren  
12 C. William Dahlin  
13 Mark D. Alpert  
14 Attorneys for Plaintiff Surf and Sand, LLC

15 Dated: July 23, 2010

ENDEMAN, LINCOLN, TUREK & HEATER

16  
17 By:   
18 Donald R. Lincoln  
19 Henry E. Heater  
20 Linda B. Reich  
21 Attorneys for Defendants, City of Capitola,  
22 Bob Begun, Sam Storey, Ronald Graves, Kirby  
23 A. Nicol and Dennis Norton

24 **ORDER**

25 Having read the Stipulation and good cause appearing, the Court hereby adopts the  
26 above Joint Proposed Schedule and sets a trial for this matter on June 20, 2011 and a pre-trial  
27 conference on ~~June 14, 2011.~~  
28 June 9, 2010 at 10:00 a.m.

IT IS SO ORDERED.

Date: 7/23/10

  
Honorable Judge Richard Seeborg