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5 Attorneys for Defendants CITY OF SUNNYVALE, DEVON KLEIN,
 6 CARL RUSHMEYER and KELLY FITZGERALD

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 BRUCE MILLAR, PATRICIA MILLAR, and)
 DAVID MILLAR,)
 12)
 Plaintiffs,)
 13 vs.)
)
 14 CITY OF SUNNYVALE, DEVON KLEIN,)
 CARL RUSHMEYER, KELLY FITZGERALD,)
 15 and DOES 1 to 20,)
)
 16 Defendants.)
)
 17)
 18)
 19)

Case No.: CV10-0827 EJD
**STIPULATION AND [PROPOSED] ORDER
 TO CONTINUE FILING DATE FOR JOINT
 CASE MANAGEMENT**

20 The parties, acting by and through their respective legal counsel, herein stipulate for an Order
 21 continuing the filing date for the Joint Case Management Conference Statement presently set for
 22 Friday, May 6, 2011 to Friday, May 13, 2011. Good cause exists to move the Case Management
 23 Conference for the following reasons. The parties need additional time to complete the meet and
 24 confer process on the contents of the joint statement given the complexity of legal issues, the
 25 defendants' pending motion to dismiss now scheduled for September 16, 2011, additional motions the
 26 parties may bring and whether those motions may also be scheduled for September 16, 2011 as well as
 27 a stipulated briefing schedule for said motions; the service status of all named defendants and whether
 28 the case would benefit from another ADR session.

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Dated: May 6, 2011

LAW OFFICES OF NICHOLAS DAMER

By: _____ /s/
Nicholas Damer
Attorney for Plaintiffs

Dated: May 6, 2011

BERTRAND, FOX & ELLIOT

By: _____ /s/
Gregory M. Fox
Arlene C. Helfrich
Attorney for Defendants
CITY OF SUNNYVALE, DEVON KLEIN,
CAROL RUSHMEYER and KELLY FITZGERALD

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: May 6, 2011

_____/s/
Gregory M. Fox

ORDER

Good cause appearing, it is ordered that the above Stipulation is approved and the filing date for the updated Joint Case Management Conference Statement is continued from Friday, May 6, 2011 to Friday, May 13, 2011.

Dated: May 11, 2011 _____



United States District Court Judge