

1 RICHARD DOYLE, City Attorney (88625)  
 2 NORA FRIMANN, Assistant City Attorney (93249)  
 3 CLIFFORD GREENBERG, Sr. Deputy City Attorney (122612)  
 4 STEVEN B. DIPPELL, Sr. Deputy City Attorney (121217)  
 5 Office of the City Attorney  
 6 200 East Santa Clara Street, 16<sup>th</sup> Floor  
 7 San José, California 95113-1905  
 8 Telephone Number: (408) 535-1900  
 9 Facsimile Number: (408) 998-3131  
 10 E-Mail Address: cao.main@sanjoseca.gov

11 Attorneys for Defendant, CITY OF SAN JOSE, et al.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN JOSE DIVISION

15 N. R., a minor, et. al.

16 Plaintiff(s),

17 v.

18 SCOTT HARRIS, a San Jose police  
 19 officer; SERGEANT DAVIS, a San Jose  
 20 police officer; SERGEANT GRANT, a San  
 21 Jose police officer; LEIUTENANT  
 22 WEGER, a San Jose police officer;  
 23 ROBERT DAVIS, individually and in his  
 24 capacity as Chief of Police, et al.,

25 Defendant(s).

Case Number: CV12-04322 EJD

**STIPULATION AND ~~PROPOSED~~  
 ORDER MODIFYING DEADLINE TO  
 HOLD EARLY NEUTRAL  
 EVALUATION**

26 Plaintiffs and Defendants in the above entitled matter hereby stipulate, and jointly  
 27 request that the Court extend the deadline to hold an Early Neutral Evaluation to May 31,  
 28 2013. In support of this stipulation, the parties hereby submit the following as good cause  
 for granting this request:

1. The documents material to this dispute largely involve police reports relating  
 to incidents involving minors. As such, those reports are considered "juvenile records"  
 under the Welfare and Institutions Code and cannot be disclosed absent an Order from

1 the Juvenile Court or consent from the parents of the juveniles. Therefore, Defendants  
2 have not yet disclosed the material documents.

3 2. The parties are attempting to obtain consent from the necessary parties. In  
4 the absence of consent, a Petition and Order from the juvenile court will be sought. Either  
5 way, the actual disclosure of documents will take some time and will not allow for  
6 completion of the Early Neutral Evaluation before March 19, 2013, the current deadline.

7 3. In addition, due to various other conflicts, including scheduled trials, after  
8 disclosure of the material documents, the parties are unable to hold the Early Neutral  
9 Evaluation until May 31, 2013.

10 4. Given the fact that the postponement of the Early Neutral Evaluation would  
11 not delay the deadlines in this matter set by the Court, and for the reasons set forth  
12 herein, the parties submit that good cause exists for the extension of the ADR deadline.

13 Accordingly, the parties hereby jointly request that the Court extend the deadline to  
14 complete the Early Neutral Evaluation to May 31, 2013.

15  
16 Dated: March 6, 2013

By: /s/ Anthony Boskovich  
ANTHONY BOSKOVICH

17  
18 Attorney for Plaintiff, N.R., a minor

19  
20 RICHARD DOYLE, City Attorney

21  
22 Dated: March 6, 2013

By: /s/ Clifford Greenberg  
CLIFFORD GREENBERG  
Sr. Deputy City Attorney

23  
24 Attorney for Defendants, CITY OF SAN JOSE,  
25 OFFICER SCOTT HARRIS, SERGEANT  
26 DAVIS; SERGEANT GRANT, LEIUTENANT  
27 WEGER, and FORMER POLICE CHIEF  
28 ROBERT DAVIS

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ORDER

Based upon the Stipulation of the parties, and good cause appearing therefore, the Court hereby extends the deadline to hold an Early Neutral Evaluation in this case to May 31, 2013.

**IT IS SO ORDERED.**

Dated: 3/7/2013

  
HONORABLE EDWARD J. DAVILA