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Attorneys for Plaintiff

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA
 22 SAN JOSE DIVISION

23 ATO DIABA WALKER,

24 Plaintiff,

25 v.

26 CITY OF SAN JOSE; POLICE CHIEF
 27 LARRY ESQUIVEL; OFFICER
 28 MATTHEW ROWAN (#4236); OFFICER
 JONATHAN LEVOS (#3997); SERGEANT
 MICHAEL O'NEIL (#3797); OFFICER
 RYAN WELCH (#4000), and DOES 1-50,
 inclusive,

Defendants.

Case Number: 15-cv-04954-NC

**STIPULATION AND ORDER TO
MODIFY SCHEDULING ORDER**

1 Plaintiff and Defendants in the above entitled matter hereby stipulate, and jointly
2 request that the Court modify its Scheduling Order. In support of this stipulation, the
3 parties hereby submit the following as good cause for granting this request:

4 1. Defendants were only recently served with Plaintiff's complaint on December
5 16, 2015 and responded to said complaint on January 6, 2016.

6 2. Since the answer was due on the same date as the disclosures and ADR
7 certifications, the parties agree that a brief extension of time is needed to properly prepare
8 for the initial Case Management Conference.

9 3. Therefore the parties propose the following Modified Case Schedule:

<u>Event</u>	<u>Current</u>	<u>Proposed</u>
12 Meet and confer re: initial disclosures, early 13 settlement, ADR process selection, and discovery 14 plan	1/6/2016	2/5/2016
14 File ADR Certification signed by Parties and Counsel	1/6/2016	2/5/2016
15 File either Stipulation to ADR Process or Notice of 16 Need for ADR Phone Conference	1/6/2016	2/5/2016
17 Last day to file Rule 26(f) Report, complete initial 18 disclosures or state objection in Rule 26(f) Report and 19 file Case Management Statement per Standing Order re Contents of Joint Case Management Statement	1/20/2016	2/19/2016
20 Proposed date for Initial Case Management 21 Conference	1/27/2016	tbd by the Court

22 Respectfully submitted,

23 Dated: January 8, 2016

RICHARD DOYLE, City Attorney

25 By: /s/ Shannon Smyth-Mendoza
SHANNON SMYTH-MENDOZA
Sr. Deputy City Attorney

27 Attorneys for Defendants

LAW OFFICE OF MICHAEL J. REISER

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Dated: January 8, 2016

By: /s/ Lilia Bulgucheva
LILIA BULGUCHEVA

Attorney for Plaintiff

I attest that Plaintiff has approved and signed this document, and given consent to the filing of the same with the court.

RICHARD DOYLE, City Attorney

Dated: January 8, 2016

By: /s/ Shannon Smyth-Mendoza
SHANNON SMYTH-MENDOZA
Sr. Deputy City Attorney

Attorneys for Defendants

ORDER

Based upon the Stipulation of the parties, and good cause appearing therefor, the Court hereby modifies the deadlines as follows:

<u>Event</u>	<u>Current</u>	<u>Proposed</u>
Meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan	1/6/2016	2/5/2016
File ADR Certification signed by Parties and Counsel	1/6/2016	2/5/2016
File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference	1/6/2016	2/5/2016
Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement	1/20/2016	2/19/2016
Proposed date for Initial Case Management Conference	1/27/2016	2/24/2016

IT IS SO ORDERED.

Dated: January 8, 2016

