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7 Attorneys for Defendants  
CITY AND COUNTY OF SAN FRANCISCO  
8 and ITS OFFICIALS

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11

12 THERESE MARIE PIZZO,  
13  
14 Plaintiff,  
15 vs.

16 CITY AND COUNTY OF SAN FRANCISCO  
MAYOR EDWIN LEE, in his official  
capacity; SAN FRANCISCO POLICE  
17 DEPARTMENT CHIEF OF POLICE GREG  
SUHR, in his official capacity; SAN  
18 FRANCISCO SHERIFF VICKI HENNESSY,  
in her official capacity; CITY AND COUNTY  
19 OF SAN FRANCISCO; and STATE OF  
CALIFORNIA ATTORNEY GENERAL  
20 KAMALA D. HARRIS, in her official  
capacity,  
21

22 Defendants.  
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Case No. C09-4493 CW

**STIPULATION AND [PROPOSED] ORDER  
EXTENDING PRETRIAL AND TRIAL  
DEADLINES**

**[Local Rules 6-2 and 7-12]**

1 Pursuant to Northern District Local Rules 6-2 and 7-12, the parties to this action, through their  
 2 respective attorneys of record, do hereby stipulate and agree as follows:

3 WHEREAS, the parties cross-motions for summary judgment in this matter, heard on August  
 4 30, 2012, were taken under submission (Dkt 110).

5 WHEREAS the motions for summary judgment remain under submission;

6 WHEREAS, all parties to this case agree that the case is appropriate for disposition by  
 7 summary judgment;

8 WHEREAS, the final pretrial conference in this case is set for January 23, 2013 at 2:00 p.m.;  
 9 and the trial is set for February 11, 2013 (Dkt 80, 108);

10 WHEREAS, under the current pretrial and trial schedule, the parties are required to exchange  
 11 motions in limine and the papers described in Civil L.R. 16-10(b)(7),(8),(9), and (10) on December 18,  
 12 2012;

13 WHEREAS, the parties seek to continue the pretrial conference and trial dates in this matter to  
 14 conserve resources and avoid pretrial preparations unless this Court determines that summary  
 15 judgment is not warranted in this case.

16 Pursuant to Local Civil Rule 6-2, the parties therefore stipulate and seek an order of the Court  
 17 modifying the pretrial and trial deadlines in this case:

18	June 17, 2013	Exchange of motions in limine and the papers described in Civil
19		L.R. 16-10(b)(7),(8),(9), and (10)
20	July 8, 2013	Meet and Confer re Joint Pretrial Statement
21	July 15, 2013	File Joint Pretrial Statement, exhibit list and objections, witness
22		list, designation of discovery responses, trial briefs, motions in
23		limine, and proposed findings of fact and conclusions of law
24	July 22, 2013	File Opposition to Motions in Limine
25	July 29, 2013	Final pretrial conference
26	August 12, 2013	Trial

1 IT IS SO STIPULATED.

2 Dated: December 4, 2012

DENNIS J. HERRERA  
City Attorney  
WAYNE SNODGRASS  
CHRISTINE VAN AKEN  
Deputy City Attorneys

6 By: s/Christine Van Aken  
CHRISTINE VAN AKEN

8 Attorneys for Defendants CITY AND COUNTY OF  
SAN FRANCISCO and ITS OFFICIALS

9 Dated: December 4, 2012

THE LAW OFFICES OF GARY W. GORSKI

11 By: \*\*s/Gary W. Gorski  
GARY W. GORSKI  
Attorney for Plaintiff  
THERESE MARIE PIZZO

14 Dated: December 4, 2012

CALIFORNIA ATTORNEY GENERAL'S OFFICE

17 By: \*\*s/George Waters  
GEORGE WATERS  
Attorney for Defendant  
ATTORNEY GENERAL KAMALA D. HARRIS

19 \*\*Pursuant to GO 45, the electronic signatory has  
20 obtained approval from this signatory.

22 **ORDER**

23 Pursuant to this Stipulation, IT IS SO ORDERED.

24 DATED: \_\_\_\_\_

25 THE HONORABLE CLAUDIA WILKEN  
26 Judge, United States District Court

1 DENNIS J. HERRERA, State Bar #139669  
City Attorney  
2 WAYNE SNODGRASS, State Bar #148137  
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16 CITY AND COUNTY OF SAN FRANCISCO  
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18 FRANCISCO SHERIFF VICKI HENNESSY,  
in her official capacity; CITY AND COUNTY  
19 OF SAN FRANCISCO; and STATE OF  
CALIFORNIA ATTORNEY GENERAL  
20 KAMALA D. HARRIS, in her official  
capacity,  
21  
22 Defendants.

Case No. C09-4493 CW

**DECLARATION OF CHRISTINE VAN AKEN  
IN SUPPORT OF STIPULATION AND  
[PROPOSED] ORDER EXTENDING  
PRETRIAL AND TRIAL DEADLINES**

**[Local Rules 6-2, 7-12]**

1 I, Christine Van Aken, declare as follows:

2 1. I am a Deputy City Attorney for the City and County of San Francisco and an attorney  
3 of record for defendants City and County of San Francisco, the Mayor of San Francisco, the Chief of  
4 the San Francisco Police Department, and the San Francisco Sheriff (collectively, the "City"). The  
5 matters within this declaration are true of my personal knowledge or, where stated otherwise, upon  
6 information and belief. I could and would testify competently to the matters stated in this declaration.

7 2. The parties to this case are submitting a stipulated request for an order modifying the  
8 pretrial and trial schedule in this case.

9 3. This request is made for good cause. Specifically, this request will allow the parties to  
10 begin their pretrial preparations only in the event that any claims remain to be tried after the Court has  
11 decided the parties' cross-motions for summary judgment.

12 4. I was assigned to this case in February 2012. Based on my review of the electronic  
13 files that the City maintains for this case, the previous modifications of time in this case are as follows:

14 a. On August 27, 2009, the Court stayed this case pending a determination by  
15 appellate courts concerning whether the Second Amendment is incorporated against the States.

16 b. On September 13, 2010, the Court lifted the stay of proceedings. Dkt 37.

17 c. On September 27, 2010, the Court extended the time for the City to respond to  
18 the amended complaint, upon the parties' stipulation. Dkt 53.

19 d. On November 29, 2010, the Court extended the time for the City to respond to  
20 the amended complaint, upon the City's motion. Dkt 42.

21 e. On December 16, 2010, the Court set a deadline of January 27, 2011 for  
22 Defendants to respond to Plaintiffs' First Amended Complaint. Dkt 56.

23 f. On January 28, 2011, the Court endorsed the parties' stipulation extending the  
24 time for Defendants to respond to Plaintiffs' First Amended Complaint. Dkt 60.

25 g. On April 8, 2011, the Court continued a hearing on Defendants' motion to  
26 dismiss the First Amended Complaint to April 28, 2011. Dkt 69.

27 h. On October 26, 2011, upon the parties' stipulated request, the Court continued a  
28 case management conference from November 3, 2011 to November 17, 2011. Dkt 93, 94.

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i. On May 5, 2012, upon the parties' stipulated request, the Court modified the briefing schedule for Plaintiffs' Motion for Partial Judgment on the Pleadings without modifying the motion's hearing date.

j. The Court modified the summary judgment briefing schedule and set the hearing date on summary judgment motions and the further case management conference for August 9, 2012 at 2:00 p.m. Dkt. 70, 89.

k. The parties stipulated, and the Court ordered, that the summary judgment hearing be continued to August 30, 2012, at 2:00 p.m. Dkt. 94, 95.

l. Upon the parties' stipulated request, the Court continued the trial date from October 9, 2012 to February 11, 2013. Dkt. 108.

5. This continuance will affect the schedule for this case by delaying trial from February 2013 to August 2013.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 4th day of December, 2012, in San Francisco, California.

\_\_\_\_\_  
s/ Christine Van Aken  
Christine Van Aken