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Gustine Unified School District

(SPACE BELOW FOR FILING STAMP ONLY)

FILED

JUL 15 2009

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT

JOHN ROE, a minor, by and through his Guardian ad Litem, SHEILA IRENE CALLAHAN,

Plaintiff,

v.

GUSTINE UNIFIED SCHOOL DISTRICT; GOLDEN VALLEY UNIFIED SCHOOL DISTRICT; KYLE MATTHEW FISCHER, aka KYLE SIMMONS, a minor; MICHAEL FISCHER, aka MICHAEL SIMMONS, a minor; KELLY SIMONS; JASON SIMMONS; MATTHEW McKIMMIE, a minor; MYRNA TYNDAL; TOMMY SAN FELIP, a minor; FRANK HUDSON; BETTY HUDSON; CARL SCUDDER; JASON SPAULDING; ANTHONY SOUZA; ADAM CANO; TIMOTHY HAYES; KULJEEP MANN; CHRIS IMPERATRICE, AND DOES 1-200,

Defendants.

Case No. 1:07-CV-00796-OWW-DLB

STIPULATION AND ORDER RE CONTINUANCE OF MOTIONS FOR SUMMARY JUDGMENT HEARING

Callahan vs. Gustine Unified School District et al. Doc. 102

STIPULATION

Defendant GUSTINE UNIFIED SCHOOL DISTRICT and Defendant CARL SCUDDER

each have filed motions for summary judgment, which are currently scheduled to be heard on August 3, 2009 at 10:00 a.m. in Courtroom 3. Based on a conflict in the calendar of counsel for GUSTINE UNIFIED SCHOOL DISTRICT, the moving parties, and counsel for the opposing party John Roe, have agreed to a brief continuance of the hearing to August 10, 2009 at 10:00 a.m. in Courtroom 3. Counsel for GUSTINE UNIFIED has been advised by the clerk for Courtroom 3 that the court's calendar for August 10, 2009 can accommodate said continuance. It is further stipulated that the deadlines for filing the opposition and replies will be governed by the new hearing date of August 10, 2009.

Dated: July 10, 2009

ALLEN & FAGALDE, ALBERTONI & FLORES

By: /s/ Kimberly Flores
Kimberly Flores
Attorneys for Plaintiff JOHN ROE by and through His Guardian ad Litem, SHEILA CALLAHAN

Dated: July 10, 2009

McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP

By: /s/ Mart B. Oller IV
Mart B. Oller IV
Attorneys for Defendant
GUSTINE UNIFIED SCHOOL DISTRICT, JASON SPAULDING, ANTHONY SOUZA, ADAM CANO

Dated: July 10, 2009

TUTTLE & McCLOSKEY

By: /s/ James McBrearty
James McBrearty
Attorneys for CARL SCUDDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

Dated: 7-13-09

The Honorable Oliver W. Wanger
United States District Court
Eastern District of California

McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP
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