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Attorneys for Defendant Gonzalez

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

**MARVELLOUS ASHA XYAH GREEN**  
also known as  
**MARVELLOUS ASHA XYAH**  
also known as  
**MARCELLUS ALEXANDER GREENE**  
also known as  
**MARVELLOUS AMIR WARRIOR.**

1:08-cv-00677 CRB (PC)

**STIPULATION AND ORDER  
EXTENDING DEADLINE FOR  
DEFENDANT'S REPLY AND  
CONTINUING HEARING DATE**

Judge: Honorable Charles R. Breyer  
Action Filed: May 5, 2008

Plaintiff,

V.

J. JONES, et al.,

## Defendants.

Under Federal Rules of Civil Procedure 6(b)(1)(A) and Local Rules 143 and 144, the parties, through their counsel of record, stipulate to a seven-day extension, up to and including April 3, 2015, for Defendant to file his reply to Plaintiff's opposition (ECF No. 92) to the motion for summary judgment. (ECF No. 91.) The current reply deadline is March 27, 2015. The parties further stipulate to continue the hearing on Defendant's motion to April 17, 2015.

1 When an act must be done within a specified time, the court may, for good cause, extend  
2 the time with or without motion or notice if the court acts, or if a request is made, before the  
3 original time expires. Fed. R. Civ. P. 6(b)(1)(A). Good cause exists to grant this extension  
4 because, despite defense counsel's diligence, she will not be able to prepare the reply brief by the  
5 current due date. Defense counsel has three other filing deadlines on March 27, 2015, and  
6 Plaintiff's opposition to Defendant's summary-judgment motion is extensive (*see* ECF Nos. 92 –  
7 92-12), therefore, defense counsel requires additional time to prepare the reply. This short  
8 extension will not affect the scheduling deadlines in this case since the only remaining deadlines  
9 are the ones for the reply brief and the hearing on this motion.

10 Under Local Rules 143 and 230(f), the parties stipulate to continue the hearing on  
11 Defendant's motion for summary judgment to April 17, 2015, at 10:00 a.m. in Courtroom 6,  
12 before the Honorable Charles R. Breyer.

13 Accordingly, the parties stipulate that Defendant's deadline for filing a reply to Plaintiff's  
14 opposition to Defendant's motion for summary judgment shall be extended to April 3, 2015, and  
15 the hearing on the motion shall be continued until April 17, 2015.

16 || IT IS SO STIPULATED:

17 || Dated: March 24, 2015

*/s/ Daniel L. Corbett*

Daniel L. Corbett

JONES DAY

Attorneys for Plaintiff Marvellous Greene

21 Dated: March 24, 2015

/s/ Michelle M. Mayer

Michelle M. Mayer

## Deputy Attorney General

Attorney for Defendant Gonzalez

## IT IS SO ORDERED.

25 | DATED: March 25, 2015

*EB*

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