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8  
 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 11 FRESNO DIVISION

12  
 13 **MARVELLOUS ASHA XYAH GREEN**  
 also known as  
 14 **MARVELLOUS ASHA XYAH**  
 also known as  
 15 **MARCELLUS ALEXANDER GREENE**  
 also known as  
 16 **MARVELLOUS AMIR WARRIOR,**

17 Plaintiff,

18 v.

19 **J. JONES, et al.,**

20 Defendants.

1:08-cv-00677 CRB (PC)

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

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

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 23  
 24 Under Federal Rules of Civil Procedure 6(b)(1)(A) and Local Rules 143 and 144, the  
 25 parties, through their counsel of record, stipulate to a seven-day extension, up to and including  
 26 April 3, 2015, for Defendant to file his reply to Plaintiff's opposition (ECF No. 92) to the motion  
 27 for summary judgment. (ECF No. 91.) The current reply deadline is March 27, 2015. The  
 28 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

24 **IT IS SO ORDERED.**

25 DATED: March 25, 2015



Charles R. Breyer  
United States District Judge