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12 Attorney for Defendant  
 13 MATTHEW CATE

14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA

17 **James F. Menefield,**  
 18 **Plaintiff,**  
 19 **v.**  
 20 **Matthew Cate,**  
 21 **Defendant.**

**Case No. 08-00751**  
**STIPULATION REGARDING**  
**CASE MANAGEMENT**  
**CONFERENCE**  
**Judge: Charles R. Breyer**

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1           **THE PARTIES HERETO, BY AND THROUGH THEIR AUTHORIZED**  
2 **COUNSEL OF RECORD, STIPULATE AS FOLLOWS:**


3           (1) There is currently a case management conference scheduled in this case for  
4 **December 4, 2009**, at **8:30 a.m.**

5           (2) Counsel for plaintiff is scheduled to be in Washington, D.C. on December 4  
6 for work-related purposes.

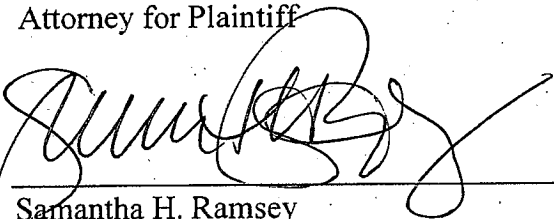
7           (3) Accordingly, the case management conference will be held by the Court at  
8 **8:30 a.m.** on Friday, **December 11, 2009.**

9           (4) Pursuant to this Court's standing orders, counsel will file a joint case  
10 management statement no later than Tuesday, **December 1, 2009.**

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14 Dated: November 16, 2009

By   
Nathaniel P. Garrett  
JONES DAY  
Attorney for Plaintiff

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18 Dated: November 9, 2009

By   
Samantha H. Ramsey  
DEPUTY ATTORNEY GENERAL  
Attorney for Defendant

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~~PROPOSED ORDER~~

Based on the foregoing stipulations and representations, the scheduling provisions stated above are adopted as an order of this Court.

IT IS SO ORDERED.

Dated: November 16, 2009.

SFI-623116v1

