

1 LOUGHREY & WOELFEL, LLP
2 TAMARA LOUGHREY, Bar No. 227001
3 ROBERT WOELFEL, Bar No. 250343
4 31 Panoramic Way, Suite 200
5 Walnut Creek, CA 94595
6 Telephone: (925) 935- 4600
7 Fax: (925) 935- 4602
8 Email: tamara@spedattorneys.com

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10 Attorneys for Plaintiffs

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12 THE UNITED STATES DISTRICT COURT FOR
13 THE EASTERN DISTRICT OF CALIFORNIA

14 J.A.A.H. and J.R.H. on behalf of J.H. and **1:08cv01465 LJO DLB**
15 L.H.

16 Plaintiffs,

17 v.

18 MODESTO CITY SCHOOLS
19 Defendant.

20
21 **STIPULATION TO MOVE JOINT
22 SCHEDULING CONFERENCE AND
23 ORDER**

24 **Joint Scheduling Report: January 26, 2009**

25 **Joint Scheduling Conference: February 2,
26 2009, 8:30 a.m.**

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28 On October 29, 2008, Plaintiffs filed an Application for Attorneys Fees and a complaint
in this case. On December 5, 2008, Magistrate Judge Dennis Beck held a hearing on the motion.
On January 6, 2009, Judge Beck issued his Findings and Recommendations granting in part and
denying in part Plaintiffs' motion. The memorandum stated that the recommendations would be
forwarded to Judge Lawrence J. O'Neill for his review¹. As attorney fees are the only issue
raised in this case, the parties believe that Judge O'Neill will be able to make a final
determination on the case, making the Joint Scheduling Conference unnecessary. Consequently,
the parties request that the court vacate the Scheduling Conference scheduled for February 2,
2009 and the Joint Scheduling Report due on January 26, 2009. The parties further request that

27 1 The parties may file objections to the Magistrate Judge's Recommendations but do not anticipate this will greatly
28 extend the time it will take for this case to be completed.

1 the court set a Joint Scheduling Conference on May 4, 2009 at 9:00 am, before
2 Magistrate Judge Beck.

3 /s/Tamara Loughrey
4 Dated _____
5 Tamara Loughrey
6 Attorney for Plaintiffs J.H., L.H., J.A.A.H and
J.R.H.

7 /s/Marcy Gutierrez
8 Dated _____
9 Marcy Gutierrez
Attorney for Modesto City Schools

10 IT IS SO ORDERED

11 27 January 2009

12 */S/ Dennis L. Beck*
U.S. Magistrate Judge

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