

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

Attorneys for Plaintiffs

THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF CALIFORNIA

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

Plaintiffs,

**STIPULATION TO MOVE JOINT  
SCHEDULING CONFERENCE AND  
ORDER**

v.

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

MODESTO CITY SCHOOLS

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

Defendant.

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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 review<sup>1</sup>. 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

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<sup>1</sup> The parties may file objections to the Magistrate Judge's Recommendations but do not anticipate this will greatly 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  
4 /s/Tamara Loughrey

5 Dated \_\_\_\_\_

Tamara Loughrey  
Attorney for Plaintiffs J.H., L.H., J.A.A.H and  
J.R.H.

7 /s/Marcy Gutierrez

8 Dated \_\_\_\_\_

Marcy Gutierrez  
Attorney for Modesto City Schools

9  
10 IT IS SO ORDERED

11 27 January 2009

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