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11 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA

13 MARK STAMAS and JUDY CASTLES,)	CASE NO. 1:09-cv-00753-LJO-SMS
14)	
15 Plaintiffs,)	STIPULATION TO CONTINUE
16)	12(b)(6) HEARING; ORDER
17 v.)	
18)	
19 COUNTY OF MADERA; BOARD OF)	
20 SUPERVISORS OF THE COUNTY OF)	
21 MADERA; DAVID HERMAN, an individual;)	
22 SHAWN HUSTON, an individual;)	
23 DAVID PRENTICE, an individual; GERALD)	
24 HOUSTON and LINDA BARLOW, husband)	
25 and wife; and DOES 1-100, inclusive,)	
26)	
Defendants.)	

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1 Plaintiffs, MARK STAMAS and JUDY CASTLES (“PLAINTIFFS”) and Defendants
2 GERALD HOUSTON and LINDA BARLOW “(DEFENDANTS”), by and through their respective
3 attorneys of record, stipulate to extend the due date of the PLAINTIFFS’ Opposition to Defendants’
4 12(b)(6) motion and continue the 12(b)(6) hearing until December 21, 2009.

5 This Stipulation is made on the ground that good cause for the extension exists based upon the
6 following facts and circumstances:

- 7 1. A similar 12(b)(6) motion was filed by County of Madera; Board of Supervisors of the
8 County of Madera; David Herman, Shawn Huston and David Prentice with the hearing
9 set for December 21, 2009. Due date of Plaintiffs’ opposition is December 4, 2009.
10 The hearing on December 21, 2009, involves the same issues of law as the this motion
11 to dismiss to be heard on November 23, 2009. In the interest of judicial economy the
12 parties agree to extend the due date of Plaintiffs’ opposition until December 4, 2009
13 and continue the 12(b)(6) hearing to December 21, 2009;
- 14 2. Complexity of the issues;
- 15 3. Conflicts on Plaintiffs’ attorney’s calendar.

16 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between counsel for
17 PLAINTIFFS and DEFENDANTS, as follows:

- 18 1. Plaintiffs’ Opposition to Motion to Dismiss First Cause of Action of Amended
19 Complaint is continued until December 4, 2009; and
- 20 2. The 12(b)(6) hearing will be continued until December 21, 2009.

21 Dated: October 29, 2009

GRISWOLD, LaSALLE, COBB,
DOWD & GIN, L.L.P.

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24 By: /s/ Robert M. Dowd
ROBERT M. DOWD
Attorneys for Plaintiffs

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Dated: October 30, 2009

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

By: /s/ Gordon M. Park
GORDON M. PARK
Attorneys for Defendants,
GERALD HOUSTON and
LINDA BARLOW

ORDER

On the stipulation and agreement of the parties through their attorneys of record and good cause appearing therefore, the 12(b)(6) hearing is continued until December 21, 2009 at 8:30am and Plaintiffs' Opposition to Motion to Dismiss First Cause of Action of Amended Complaint shall be filed on or before December 4, 2009.

IT IS SO ORDERED.

Dated: November 3, 2009

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE