

1 WHEREAS, Plaintiff intends to file a Motion to Remand this action to state court on the
2 grounds of lack of subject matter jurisdiction and to notice a hearing on said motion for October 26,
3 2009;

4 WHEREAS, the parties desire the Court to rule on Plaintiff's Motion to Remand prior to
5 deciding any further substantive motions, such as Defendant's Motion to Strike;

6 NOW THEREFORE, the parties to the above-captioned matter HEREBY STIPULATE as
7 follows:

8 The hearing on Defendant's Motion to Strike currently scheduled for September 17, 2009 is
9 continued to November 17, 2009 at 8:30am. All opposition and reply papers shall be filed and
10 served in accordance with local Rule 78-230.

11 Dated: August 26, 2009

DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING

TIMOTHY M. MUSCAT
Chief Counsel

By: /s/ Timothy M. Muscat
Timothy M. Muscat
Attorneys for Plaintiff

17 Dated: August 26, 2009

GLEASON & FAVAROTE, LLP
PAUL M. GLEASON
RICHARD Y. CHEN

By: /s/ Richard Y. Chen (as authorized on 8/26/09)
Richard Y. Chen
Attorneys for Defendant

23 **IT IS SO ORDERED.**

25 Dated: August 27, 2009

/s/ Lawrence J. O'Neill
Lawrence J. O'Neill
District Court Judge