1 2 3 4 5 6 7	TIMOTHY M. MUSCAT (#148944) Chief Counsel DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING 2218 Kausen Drive, Suite 100 Elk Grove, CA 95758 Telephone: (916) 478-7272 Facsimile: (916) 478-7331 Tim.Muscat@dfeh.ca.gov Attorneys for Plaintiff Department of Fair Employment and Housing		
8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION		
10			
11	DEPARTMENT OF FAIR EMPLOYMENT)	Case No. 1:09-	-CV-01388-LJO-DLB
12	AND HOUSING, an agency of the State of () California, ()		
13)		N AND ORDER TO
14	Plaintiff,)		HEARING ON I'S MOTION TO STRIKE
15	vs.		
16 17	CORRECTIONS CORPORATION OF AMERICA, a California Corporation, and DOES 1 through 20, inclusive,	Date: Time:	September 17, 2009 8:30 a.m.
18	Defendants.	Dept.: Courtroom 4, Seventh Floor Judge: Hon. Lawrence J. O'Neill Action Filed: June 17, 2009 Trial Date: None	
19 20	SHIRLEY DARLENE CHAPMAN,		
20 21	Real Party in Interest.		
21 22	· · · · · · · · · · · · · · · · · · ·		
22	Plaintiff, Department of Fair Employment and Housing ("Plaintiff"), by and through its		
23 24	undersigned counsel, and Defendant Corrections Corporation of America ("Defendant"), by and		
24	through its undersigned counsel, hereby stipulate as follows:		
25 26	WHEREAS, Defendant has filed a Motion to Strike portions of Plaintiff's complaint		
20	currently pending before this Court on September 17, 2009;		
COURT PAPER State of California			
Std. 113 Rev. 3-95 FE&H Automated	DFEH v. Corrections Corporation of America (CHAPMAN): Stipulation and Order to Continue Hearing on Defendant's Motion to Strike		
			Dockets.Justi

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			
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	
12		AND HOUSING	
13		TIMOTHY M. MUSCAT Chief Counsel	
14			
15		By: <u>/s/ Timothy M. Muscat</u>	
16		Timothy M. Muscat Attorneys for Plaintiff	
17	Data di August 26, 2000	·	
18	Dated: August 26, 2009	GLEASON & FAVAROTE, LLP PAUL M. GLEASON	
19		RICHARD Y. CHEN	
20			
21		By: <u>/s/ Richard Y. Chen (as authorized on 8/26/09)</u> Richard Y. Chen	
22		Attorneys for Defendant	
23			
24	IT IS SO ORDERED.		
25	Dated:August 27, 2009	_/s/ Lawrence J. O'Neill	
26		Lawrence J. O'Neill District Court Judge	
27		2 Isalot Court Paugo	
COURT PAPER State of California		-2-	
State of California Std. 113 Rev. 3-95 FE&H Automated	DFEH v. Corrections Corporation of America (CHAPMAN): Stipulation and Order to Continue Hearing on Defendant's Motion to Strike		