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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12 **DEL REAL, LLC, a California limited**
13 **liability company,**

14 Plaintiff,

15 v.

16 **KAMALA D. HARRIS, in her official**
17 **capacity as Attorney General of California,**
18 **EDMUND G. BROWN, in his official**
19 **capacity as Governor of California, and the**
20 **STATE OF CALIFORNIA,**

21 Defendants.

1:12-CV-01669-LJO-GSA

**STIPULATION AND BRIEFING
SCHEDULE FOR PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT
AND DEFENDANT'S CROSS MOTION
FOR SUMMARY JUDGMENT AND
PROPOSED ORDER**

Judge: The Hon. Lawrence J. O'Neill
Courtroom: 4:
Action Filed: October 11, 2012

22 Plaintiff Del Real, LLC and Defendant Attorney General Kamala D. Harris ("Defendants,"
23 and together with Plaintiff, the "Parties"), by and through their respective counsel, hereby
24 stipulate and agree as follows:

25 WHEREAS, on October 11, 2012, Plaintiff filed its Complaint for Declaratory and
26 Injunctive Relief;

27 WHEREAS, on March 20, 2013, Plaintiff filed its Notice of Motion and Motion for
28 Summary Judgment; Memorandum of Points and Authorities (ECF Document # 26);

1 WHEREAS, the original hearing date for hearing the Plaintiff's Motion for Summary
2 Judgment was April 17, 2013;

3 WHEREAS, the Court issued a minute order on March 29, 2013 ordering the Parties to
4 consolidate their briefing schedule if the Defendant planned to file a cross-motion for summary
5 judgment (ECF Document # 33);

6 WHEREAS, Defendant has orally requested and Plaintiff has agreed to provide one
7 deposition prior to Defendant filing a cross-motion for summary judgment;

8 WHEREAS, Defendant does plan on filing a cross-motion for summary judgment;

9 THEREFORE, in consideration of the foregoing, it is hereby stipulated that the following
10 briefing schedule will be used:

11 Defendant's Cross-motion for Summary Judgment and Opposition to Plaintiff's Motion for
12 Summary Judgment will be filed June 7, 2013;

13 Plaintiff's Opposition to Defendant's Motion for Summary Judgment and Reply in Support
14 of Plaintiff's Motion for Summary Judgment will be filed June 28, 2013;

15 Defendant's Reply in Support of Defendant's Motion for Summary Judgment will be filed
16 July 12, 2013.

17 **ORDER**

18 This Court ADOPTS the parties' briefing schedule. This Court's practice is to consider
19 matters on the record without a hearing. As such, this Court VACATES the original April 17,
20 2013 hearing and will set a hearing only if it deems necessary.

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23 IT IS SO ORDERED.

24 Dated: **April 3, 2013**

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