

1 KAMALA D. HARRIS, State Bar No. 146672
 Attorney General of California
 2 DAVID A. CARRASCO, State Bar No. 160460
 Supervising Deputy Attorney General
 3 DIANA ESQUIVEL, State Bar No. 202954
 Deputy Attorney General
 4 1300 I Street, Suite 125
 P.O. Box 944255
 5 Sacramento, CA 94244-2550
 Telephone: (916) 445-4928
 6 Facsimile: (916) 324-5205
 E-mail: Diana.Esquivel@doj.ca.gov

7 *Attorneys for Defendants Pliler and Vance*

8
 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 **PAUL ERIC HEBBE,**
 14
 Plaintiff,
 15
 v.
 16
PLILER, et al.,
 17
 Defendants.
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No. 2:00-cv-00306 EFB

**STIPULATION AND PROPOSED
 ORDER TO CONTINUE HEARING
 DATE AND BRIEFING SCHEDULE
 ON PLAINTIFF’S MOTION FOR
 SANCTIONS**

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 20 Under Local Rules 143 and 230(f), the parties, through their respective counsel of record,
 21 stipulate to continue the hearing date and briefing schedule on Plaintiff’s motion for sanctions
 22 that was filed on March 13, 2013, and which is scheduled to be heard on March 27, 2013, at 10
 23 a.m. before Magistrate Judge Brennan. (ECF No. 216.) Good cause exists to grant the requested
 24 continuance because defense counsel requires more time to familiarize herself with this case and
 25 prepare the opposition to the sanctions motion.

26 On January 31, 2013, Deputy Attorney General Diana Esquivel took over this case from
 27 Michael Lee, who is in the process of retiring. (See ECF No. 215.) Since Esquivel took over this
 28 case, she has not had an opportunity to review the case files or familiarize herself with the issues

1 in this lawsuit due to her trial calendar. In late January and early February, she was preparing for
2 and in trial in the matter of *Jacobs v. Woodford* (E.D. Cal. No. 1:08-cv-0369 JLT), which started
3 trial on February 6, 2013. After the *Jacobs* trial, Esquivel had other preexisting deadlines to meet
4 and also started preparing for and was in trial in *Samuels v. Adame* (E.D. Cal. No. 1:09-cv-1320
5 SAB), which went to trial on March 12, 2013.

6 On March 13, 2013, Plaintiff filed a motion for sanctions for spoliation of evidence under
7 Local Rule 251(e), which allows for a shortened briefing schedule and hearing date. (ECF No.
8 216.) Plaintiff's motion is currently set to be heard on March 27, with the opposition due on
9 March 20 and reply on March 25. Defense counsel requires more time to familiarize herself with
10 the discovery issues that gave rise to the sanctions motion and to prepare an opposition.
11 Accordingly, the parties agree to continue the hearing on the sanctions motion to April 17, 2013,
12 at 10 a.m., with Defendants' opposition due on April 5, and Plaintiff reply due on April 15.

13 IT IS SO STIPULATED.

14 Dated: March 15, 2013

15 Respectfully submitted,

16 KAMALA D. HARRIS
17 Attorney General of California
18 DAVIS A. CARRASCO
19 Supervising Deputy Attorney General

20 */s/ Diana Esquivel*

21 DIANA ESQUIVEL
22 Deputy Attorney General
23 *Attorneys for Defendants*

24 Dated: March 15, 2013

25 O'MELVENY & MYERS LLP
26 CATALINA VERGARA
27 ROBERT D. HUNT
28 KATELYN DENBY

/s/ Robert D. Hunt

ROBERT D. HUNT
Attorneys for Plaintiff

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ORDER

Based on the parties' stipulation and good cause appearing, the hearing on Plaintiff's motion for sanctions (ECF No. 216) is continued to April 17, 2013, at 10:00 a.m. in Courtroom 8. Defendants shall file their opposition on or before April 5, 2013, and any reply shall be due no later than April 15, 2013.

IT IS SO ORDERED.

DATED: March 20, 2013


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE