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12 **VIDEO GAMING TECHNOLOGIES,  
13 INC., dba VGT, Inc., a Tennessee  
Corporation, et al.,**

2:08-CV-01241-JAM-EFB

**STIPULATION AND ORDER FOR  
CONTINUANCE OF HEARING ON  
DEFENDANTS' MOTIONS TO DISMISS  
CLAIMS**

16 **BUREAU OF GAMBLING CONTROL, a**  
17 **law enforcement division of the California**  
**Department of Justice, et al.,**

## Defendants.

Date: February 11, 2009  
Time: 9:00 a.m.  
Courtroom: 6  
Judge The Honorable John A. Mendez  
Trial Date  
Action Filed: June 4, 2008

20 **CAPITAL BINGO, INC., a California  
corporation, et al..**

and

23 EL CAMINO ATHLETIC BOOSTERS  
CLUB, a California non-profit corporation

### Intervenors.

1       Currently, Defendants' motions to dismiss the three amended complaints of Plaintiffs  
2       United Cerebral Palsy of Greater Sacramento, WIND Youth Services, Robert Foss, and Joan  
3       Sebastiani; Intervenors Capital Bingo, Inc., Haggan Grant Post No. 521, the American Legion,  
4       Department of California, Casa Robles High School Ramsmen, Inc., and Mary Brown; and  
5       Intervenor El Camino Athletic Boosters Club, LLC, are set to be heard before this Court on  
6       February 11, 2009, at 9:00 a.m. On January 6, 2009, the docket of the Ninth Circuit Court of  
7       Appeals reflected that the pending appeal from the issuance of the preliminary injunction in the  
8       within matter was set for oral argument on March 10, 2009, and this was telephonically  
9       confirmed with the Ninth Circuit Clerk. As the decision on the appeal may be dispositive of  
10      some or all of the issues raised in the motions to dismiss, and will, in any event, be of assistance  
11      to this Court and the parties in addressing the issues raised in the pending motions to dismiss, the  
12      parties have agreed that a continuance of the hearing on the three motions to dismiss until a  
13      reasonable time after completion of oral argument on the appeal will serve the purposes of  
14      judicial economy in the prosecution and defense of this case.

15       IT IS THEREFORE STIPULATED that the hearing on the above-referenced three motions  
16      to dismiss be continued to April 22, 2009, at 9:00 a.m.

17       IT IS SO STIPULATED.

18      Dated: January 15, 2009

EDMUND G. BROWN JR.  
Attorney General of California  
SARA J. DRAKE  
Supervising Deputy Attorney General

/s/ WILLIAM L. WILLIAMS, JR.

WILLIAM L. WILLIAMS, JR.  
Deputy Attorney General  
Attorneys for Defendants

24      Dated: January 15, 2009

NOSSAMAN LLP

/s/ GEOFFREY A. GOODMAN

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27       GEOFFREY A. GOODMAN  
Attorneys for Intervenors

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1 Dated: January 15, 2009

STEVENS & O'CONNELL LLP

2 /s/ ALEXANDER M. MEDINA

3 ALEXANDER M. MEDINA  
4 Attorneys for Plaintiffs

5 Dated: January 15, 2009

LAW OFFICES OF K. GREG PETERSON

6 /s/ K. GREG PETERSON

7 K. GREG PETERSON  
8 Attorneys for Intervenors

10 ORDER

11 Based upon the above stipulation of the parties and for good cause shown, the hearing on  
12 Defendants' three motions to dismiss the claims in the within action is continued to April 22,  
13 2009, at 9:00 a.m.

14 Dated: January 16, 2009

15 /s/ John A. Mendez

16 HONORABLE JOHN A. MENDEZ

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