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6	Attorney for Defendant LUIS FARIAS ARROYO		
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8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
10	LUIC EADIAC ADDOVO (oko Luig Foriga)	CASE NO 2.00 CV 01402 CED VIM	
11	LUIS FARIAS ARROYO (aka Luis Farias)	CASE NO. 2:08-CV-01493-GEB-KJM	
12	Plaintiff,	STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE	
13		HEARING OF DEFENDANTS'	
14	VS.	MOTION FOR SUMMARY JUDGMENT AND TO STAY	
		DISCOVERY	
15	STATE OF CALIFORNIA, ET AL.	Date: February 9, 2009	
16	Defendants.	Time: 9:00 a.m. Courtroom: 10	
17	Defendants.	Judge: Hon. Garland E. Burrell, Jr.	
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20	The parties to the above-referenced action	on by and through their undersigned attorneys	
21	hereby stipulate and respectfully request the Court to continue the hearing on the United States		
22	Defendants' Motion for Summary Judgment/Q	_	
23	Discovery in this matter, which are currently scheduled to be heard on February 9, 2009 at 9:00		
24	a.m. Plaintiff requests that these matters be continued to March 9, 2009 for the following reasons. The Federal Defendants do not oppose Plaintiff's request.		
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1	1. Plaintiff's attorney, Stewart Katz, is in and will be in trial at 9:00 a.m. on		
2	February 9, 2009 in <i>People v. Michael Nguyen</i> , Sacramento Superior Court Case No. 08F06969		
3	(Department 31). His client faces three counts of attempted murder.		
4	2. Prior to the afternoon of February 5, 2009 the judge in <i>People v. Michael Nguyen</i>		
5	had indicated that trial would not commence until 10:30 a.m. on Monday February 9, 2009 due		
6	to a doctor's appointment involving the judge's daughter. However, that afternoon, the judge		
7	informed us that the appointment was in fact going to be at 3:00 on February 9, 2009 and that		
8	trial would recommence at 9:00 a.m. with a hearing out of the presence of the jury commencing		
9	at 8:45 a.m. Upon learning that, Plaintiff's counsel immediately notified both the Court and		
10	opposing counsel telephonically.		
11	3. The Federal Defendants do not oppose Plaintiff's request.		
12	4. March 9, 2009 is the first law and motion date that both parties are available. The		
13	parties are also available to have the matter specially set on the Court's criminal calendar on		
14	Friday February 13, 2009. Continuing the hearing to March 9, 2009 does not cause any problems		
15	with the Court's scheduling order.		
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17	DATED: January 6, 2009 LAW OFFICE OF STEWART KATZ		
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19	By: <u>/s/ Stewart Katz</u> STEWART KATZ		
20	Attorneys for Plaintiff Luis Farias Arroyo		
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22	DATED: LAWRENCE G. BROWN		
23	Acting United States Attorney		
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25	By:TODD A. PICKLES		
26	Assistant United States Attorney		
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28	IT IS SO ORDERED.		

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3	3 DATED: <u>2/6/09</u>	Jane Genelly
4	4	Garland E. Burrell, Jr.
5	5 U	Inited States District Judge
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