

1 JAMES M. WAGSTAFFE (95535)
MICHAEL VON LOEWENFELDT (178665)
2 BRADY DEWAR (252776)
KERR & WAGSTAFFE LLP
3 100 Spear Street, 18th Floor
San Francisco, CA 94105-1528
4 Telephone: (415) 371-8500
Fax: (415) 371-0500

5 Attorneys for Defendants BETTY T. YEE, GEORGE RUNNER, MICHELLE STEEL,
6 JEROME E. HORTON, and JOHN CHIANG in their official capacity as members of the
California State Board of Equalization

7 Donald J. Kula (144342)
8 **PERKINS COIE LLP**
1888 Century Park East, Suite 1700
9 Los Angeles, CA 90067
Telephone: (310) 788-9900
10 Fax: (310) 788-3399

11 Malcolm S. Segal (75481)
SEGAL & ASSOCIATES, PC
12 400 Capitol Mall, Suite 2550
Sacramento, CA 95814
13 Telephone: (916) 441-0886

14 Attorneys for Plaintiff
GILBERT P. HYATT

15 [additional counsel on the following page]

16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF CALIFORNIA**

19 GILBERT P. HYATT,

20 Plaintiff,

21 v.

22 JOHN CHIANG, JEROME E. HORTON, and
23 MICHAEL COHEN, CALIFORNIA
FRANCHISE TAX BOARD MEMBERS;
24 BETTY T. YEE, GEORGE RUNNER,
25 MICHELLE STEEL, JEROME E. HORTON,
and JOHN CHIANG, CALIFORNIA STATE
26 BOARD OF EQUALIZATION MEMBERS,

27 Defendants

Case No. 2:14-cv-00849 GEB-DAD

**STIPULATION AND [PROPOSED]
ORDER REGARDING BRIEFING AND
HEARING SCHEDULE FOR
DEFENDANTS' MOTIONS TO
DISMISS AND INITIAL CASE
MANAGEMENT CONFERENCE**

Hon. Garland E. Burrell, Jr.

1 CYNTHIA J. LARSEN (123994)
2 **ORRICK, HERRINGTON & SUTCLIFFE LLP**
3 400 Capitol Mall, Suite 3000
4 Sacramento, CA 95814
5 Telephone: (916) 329-7970

6 JAMES BRADSHAW (108765)
7 DEBBIE LEONARD (226547)
8 **MCDONALD CARANO WILSON LLP**
9 100 West Liberty Street, 10th Floor
10 P.O. Box 2670
11 Reno, Nevada 89505
12 Telephone: (775) 788-2000

13 Attorneys for Defendants JOHN CHIANG, JEROME E. HORTON, and MICHAEL COHEN in
14 their official capacity as members of the California Franchise Tax Board
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STIPULATION

Plaintiff Gilbert P. Hyatt (“Plaintiff”) and Defendants John Chiang, Jerome E. Horton, and Michael Cohen, California Franchise Tax Board Members; and Betty T. Yee, George Runner, Michelle Steel, Jerome E. Horton, and John Chiang, California State Board of Equalization Members (jointly, “Defendants”), through their counsel of record, hereby stipulate to the following modified briefing schedule for Defendants’ anticipated motions to dismiss and the initial case management conference in this matter, and ask that the Court approve their stipulation:

1. Defendants shall file motions to dismiss or other pleadings in response to Plaintiff’s Complaint (Dkt. No. 2) on or before June 20, 2014.
2. Plaintiff shall file briefs in opposition to any motions to dismiss filed by Defendants on or before July 25, 2014.
3. Defendants shall file reply briefs in support of their motions to dismiss, if any, on or before August 25, 2014.
4. A hearing on any motion to dismiss filed by Defendants shall be scheduled for September 22, 2014 at 9 a.m.
5. The initial case management conference currently scheduled for July 21, 2014 at 9 a.m. shall be continued until October 20, 2014 at 9 a.m.

IT IS SO STIPULATED.

DATED: June 6, 2014

KERR & WAGSTAFFE LLP

By /s Michael von Loewenfeldt
MICHAEL VON LOEWENFELDT
Attorneys for Defendants
BETTY T. YEE, GEORGE RUNNER, MICHELLE
STEEL, JEROME E. HORTON, and JOHN
CHIANG in their official capacity as members of
the California State Board of Equalization

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DATED: June 6, 2014

MCDONALD CARANO WILSON LLP

By /s James Bradshaw
JAMES BRADSHAW
Attorneys for Defendants
JOHN CHIANG, JEROME E. HORTON, and
MICHAEL COHEN in their official capacity as
members of the California Franchise Tax Board

DATED: June 6, 2014

PERKINS COIE LLP

By /s Donald Kula
DONALD J. KULA
Attorneys for Plaintiff
GIBERT P. HYATT

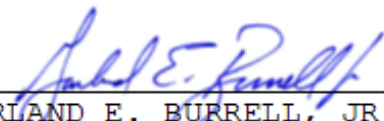
1 **[PROPOSED] ORDER**

2 Pursuant to the stipulation filed by Plaintiff Gilbert P. Hyatt (“Plaintiff”) and Defendants
3 John Chiang, Jerome E. Horton, and Michael Cohen, California Franchise Tax Board Members;
4 and Betty T. Yee, George Runner, Michelle Steel, Jerome E. Horton, and John Chiang,
5 California State Board of Equalization Members (jointly, “Defendants”), through their counsel of
6 record, and good cause appearing therefore, the Court ORDERS the following:

- 7 1. Defendants shall file motions to dismiss or other pleadings in response to
8 Plaintiff’s Complaint on or before June 20, 2014.
- 9 2. Plaintiff shall file briefs in opposition to any motion to dismiss filed by
10 Defendants on or before July 25, 2014.
- 11 3. Defendants shall file reply briefs in support of their motions to dismiss, if any, on
12 or before August 25, 2014.
- 13 4. A hearing on any motion to dismiss filed by Defendants shall be scheduled for
14 September 22, 2014 at 9 a.m.
- 15 5. The initial case management conference currently scheduled for July 21, 2014 at
16 9 a.m. shall be continued until October 24, 2014 at 9 a.m. A joint status report
17 shall be filed fourteen days prior to the hearing.

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19 IT IS SO ORDERED.

20 DATED: JUNE 9, 2014

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24 GARIAND E. BURRELL, JR.
25 Senior United States District Judge
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