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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO BRANCH**  
11

12 JAMES GODOY.

13 Plaintiff,

14 vs.

15 T. WADSWORTH, et al.

16 Defendants.  
17  
18

Case No. C 05-2913 PJH (PR)

**STIPULATION FOR ORDER  
CONTINUING TRIAL DATE; ORDER  
THEREON**

Present Trial Date: August 31, 2009  
New Trial Date: September 14, 2009

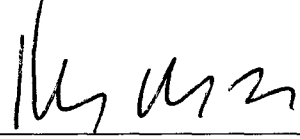
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20 The parties hereby STIPULATE to the following ORDER CONTINUING TRIAL DATE, and  
21 state as follows:  
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23 1. During the January 22, 2009 hearing on the defendants' motion for summary judgment, the  
24 Court set a new trial date of August 31, 2009. Plaintiff's counsel had incorrectly understood that  
25 this date worked for his calendar. This was mistaken; plaintiff's counsel is set on another federal  
26 court trial [Fresno] during the same period. Plaintiff's counsel has asked defense counsel for a  
27 stipulation to change the trial date in light of this scheduling conflict, and defense counsel has so  
28 agreed.

1 2. The parties have confirmed a new trial date agreeable to all sides and the Court as follows:  
2 September 14, 2009.

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4 3. Accordingly the parties hereby STIPULATE that the Court may enter an ORDER  
5 CONTINUING TRIAL DATE from August 27, 2009 to September 14, 2009.

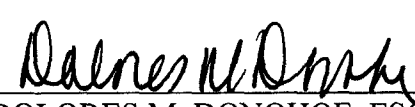
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9 SO STIPULATED:

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12 **Franck & Associates**  
13 Herman Franck, Esq. [SBN 123456]  
14 Attorney for Plaintiff  
15 James Godoy

16 *Firm Address:*  
17 1801 7<sup>th</sup> Street, Ste. 150  
18 Sacramento, CA 95811  
19 Tel. (916) 447-8400

Dated: <sup>F.S. 3</sup> ~~January~~ \_\_\_\_\_, 2009

18 

19 **DOLORES M. DONOHOE, ESQ.** (Bar No. T11432)  
20 Attorneys for Defendants  
21 T. Wadsworth, et al.

22 *Firm Address:*  
23 EDRINGTON, SCHIRMER & MURPHY  
24 2300 Contra Costa Blvd., Suite 450  
25 Pleasant Hill, CA 94523  
26 Telephone: (925) 827-3300

Dated: January 28, 2009

**ORDER BASED ON STIPULATION**

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The Court ACCEPTS the forgoing stipulation of the parties, and hereby ORDERS that the Trial date set for August 27, 2009 is VACATED and CONTINUED to September 14, 2009 at 9:00 a.m. in a Courtroom to be announced, but at the United States District Court in San Francisco, CA.

SO ORDERED:



Dated: 2/10/09

Hon. Nandor Vadas, Judge of the United States  
District Court for the Northern District of California