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 8 RICHARD DEAN CLARK

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 10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 RICHARD DEAN CLARK,  
 15  
 16                   Petitioner,

17 vs.

18 MICHAEL MARTEL, Acting Warden of  
 19 California State Prison at San Quentin,  
 California,

20 \_\_\_\_\_  
 Respondent

) No. C-97-20618-WA  
 )  
 )  
 )  
 ) STIPULATION AND REQUEST FOR  
 ) ORDER RE REPLY TO RESPONSE TO  
 ) MOTION FOR EVIDENTIARY HEARING  
 ) Civ. L.R. 7-12  
 )  
 )  
 ) **DEATH PENALTY CASE**

21 The parties, having met and conferred, stipulate as follows:

22 WHEREAS Petitioner’s Motion for Evidentiary Hearing was filed on August 1, 2012 and  
 23 Respondent’s Response was filed December 17, 2012;

24 WHEREAS this matter involves numerous and extensive factual submissions and legal  
 25 analyses; and,

26 WHEREAS Petitioner’s reply was due February 8, 2013,

27 WHEREAS counsel for Petitioner has been occupied with preparing for a lengthy upcoming  
 28 RICO trial in the District of Nevada, with motions heard on January 11, 2013, at which time an April

1 8, 2013 trial date was set; a summary judgement hearing in a complex wrongful death action in the  
2 Kern County Superior court set for March 5, 2013; and a summary judgement hearing in a capital case  
3 in the Central District of California that involved a 375-page tentative decision and was held January  
4 29, 2013.

5 WHEREAS counsel for Petitioner has requested one extension of time to file his Reply, and  
6 does not anticipate requesting another beyond this present application;

7 IT IS HEREBY STIPULATED that Petitioner's Reply to the Response to the Motion for  
8 Evidentiary Hearing be filed on or before March 11, 2013.

9 Dated: February 8, 2013

Respectfully submitted,

10 JOHN R GRELE  
11 LYNNE S. COFFIN  
12 Attorneys for Petitioner  
13 RICHARD DEAN CLARK

14 By: \_\_\_\_\_/s/\_\_\_\_\_  
John R Grele

15 Dated: February 8, 2013

ALICE LUSTRE  
Attorney for Respondent

17 By: \_\_\_\_\_/s/\_\_\_\_\_  
18 Alice Lustre

19 Pursuant to stipulation, IT IS SO ORDERED.

20 Dated: February 11, 2013

