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 GREGORY CALVIN SMITH

11  
 12 **UNITED STATES DISTRICT COURT**  
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 14 **SAN FRANCISCO DIVISION**  
 15

16		)	NO. 3:04-CV-03436-CRB
17	GREGORY CALVIN SMITH,	)	<u>DEATH PENALTY CASE</u>
18	Petitioner,	)	
19	v.	)	STIPULATED BRIEFING SCHEDULE
20	VINCE CULLEN, Warden,	)	
21	San Quentin State Prison,	)	
22	Respondent.	)	
23	_____	)	

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The parties, by and through their attorneys of record, hereby stipulate:

- 1. Petitioner will file his reply to Respondent’s motion to dismiss for failure to exhaust by March 31, 2010.
- 2. Respondent will file a reply to Petitioner’s response by April 30, 2010.
- 3. The parties agree that the Court can decide the matter on the papers, unless it desires to hear argument, in which case it will order a hearing.

Dated: \_\_\_\_\_ /s/ Michael Snedeker  
 MICHAEL R. SNEDEKER  
 Attorney for Petitioner

Dated: \_\_\_\_\_ /s/ Harold Rosenthal  
 HAROLD ROSENTHAL  
 Attorney for Petitioner

Dated: \_\_\_\_\_ /s/ Lisa Ashley Ott  
 LISA ASHLEY OTT  
 Attorney for Respondent

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 23, 2010

