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16 Attorneys for Defendants  
 FEDERAL COMMUNICATIONS COMMISSION and  
 17 UNITED STATES OF AMERICA

18 **UNITED STATES DISTRICT COURT**  
 19 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 20 **SAN FRANCISCO DIVISION**

21 MINORITY TELEVISION PROJECT, INC.,

**Case No. 06-2699-EDL**

22 Plaintiff,

23 v.

**STIPULATION AND [PROPOSED]  
 ORDER TO MODIFY DISPOSITIVE  
 MOTION BRIEFING SCHEDULE**

24 FEDERAL COMMUNICATIONS  
 COMMISSION and UNITED STATES OF  
 25 AMERICA,

26 Defendants.

1 WHEREAS, the plaintiff, Minority Television Project, Inc. ("Plaintiff") requests a  
2 modification to Dispositive Motion Briefing Schedule issued by this Court on February 4, 2009,  
3 due to medical issues encountered by lead counsel, Walter E. Diercks, and his wife;

4 WHEREAS, as a result of these issues, the parties United States of America and the  
5 Federal Communications Commission (collectively "Defendants") and Plaintiff have agreed to  
6 the proposed modification to the Dispositive Motion Briefing Schedule:  
7

8 Dispositive Motions

- 9 • Plaintiff's Opening and/or cross motion shall be due on May 5, 2009;  
10 • Defendants' Reply Brief shall be due on May 27, 2009;  
11 • Plaintiff's Reply Brief shall be due on June 9, 2009;  
12 • Dispositive Motion hearing shall be held on June 30, 2009 at 9:00 am  
13

14 WHEREAS the parties respectfully request that the Court adopt the proposed  
15 aforementioned modification to the Dispositive Motion Briefing Schedule.

16 Dated: April 24, 2009

Respectfully submitted,

17 Andrew A. August  
18 John L. Fitzgerald  
19 Walter E. Diercks

20 By:           /s/ Andrew A. August            
21 Attorneys for MINORITY  
22 TELEVISION PROJECT, INC.

23 Dated: April 24, 2009

JOSEPH P. RUSSONIELLO  
United States Attorney

24 By:           /s/ Melissa K. Brown            
25 Melissa K. Brown  
26 Assistant United States Attorney  
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**[PROPOSED] ORDER**

Dispositive Motions

- Plaintiff's Opening and/or cross motion shall be due on May 5, 2009;
- Defendants' Reply Brief shall be due on May 27, 2009;
- Plaintiff's Reply Brief shall be due on June 9, 2009;
- The Dispositive Motion hearing shall be held on June 30, 2009 at 9:00 am.

**IT IS SO ORDERED.**

Dated: April 24, 2009

