

1 COLLEEN DUFFY SMITH (161163)
MORGAN DUFFY-SMITH & TIDALGO LLP
2 1960 The Alameda, Suite 220
San Jose, CA 95126
3 Telephone: (408) 244-4570
Facsimile: (408) 423-8830
4 Email: cduffysmith@mdstlaw.com

5 Co-Counsel for Plaintiffs

6 [Additional counsel appear on signature page]

7
8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 COUNTY OF SANTA CRUZ, et al.

13 Plaintiffs,

14 v.

15 CENTERS FOR MEDICARE AND
16 MEDICAID SERVICES,

17 Defendant.

No. C 07-2889 MMC

STIPULATION AND [PROPOSED]
ORDER RESETTING HEARING AND
BRIEFING SCHEDULE ON
DEFENDANT'S MOTIONS FOR
SUMMARY JUDGMENT AND TO
DISMISS, AND CMC

18 Dept: Courtroom 7, 19th Floor
19 450 Golden Gate Avenue
San Francisco, CA

20 Judge: Hon. Maxine M. Chesney

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25 Defendant, CENTERS FOR MEDICARE AND MEDICAID SERVICES, filed and
26 served a Motion to Dismiss and a Motion for Summary Judgment on December 23,
27 2008. Due to the intervening holidays, obligations to other clients, and pre-existing out-
28 of-state travel plans, counsel for plaintiffs, COUNTY OF SANTA CRUZ, et al., request

STIPULATION AND [PROPOSED] ORDER RESETTING HEARING, BRIEFING AND CMC; Case No. C 07-2889 MMC

1 that hearing on Defendant's Motion to Dismiss and Motion for Summary Judgment be
2 continued until Friday, March 13, 2009, at 9:00 a.m. As no opposition has yet been
3 filed, this request is made pursuant to Civ.L.R. 7-7(a).

4 Defendant's counsel further requests that defendant be permitted an additional
5 amount of time to file its reply brief according to the March 13, 2009, hearing date.

6 Accordingly, it is hereby stipulated by and between the parties that:

- 7 1. The hearing on defendant's Motion to Dismiss and Motion for Summary
- 8 Judgment be continued from February 6, 2009, until March 13, 2009, at 9:00 a.m.;
- 9 2. Plaintiffs be permitted to file their oppositions on February 18, 2009; and
- 10 3. Defendant be permitted to file its reply on March 2, 2009.

11 In light of the foregoing, and in the interest of judicial economy, it is further
12 requested by the parties that the Case Management Conference currently set for
13 February 13, 2009 at 10:30 a.m., be continued until March 13, 2009 at 10:30 a.m.

14 It is so stipulated:

15 Dated: 11/2/09

MORGAN DUFFY-SMITH & TIDALGO

Colleen Duffy Smith
COLLEEN DUFFY-SMITH
Attorneys for Plaintiffs

16 Dated: 11/2/09

JOSEPH P. RUSSONIELLO
United States Attorney

JS
JONATHAN U. LEE
Assistant United States Attorney
Attorneys for Federal Defendant

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1 The parties having stipulated to continuing the hearing on Defendant's Motions
2 for Summary Judgment and to Dismiss until March 13, 2009, at 9:00 a.m., filing
3 opposition and reply briefs by no later than February 18, and March 2, respectively, and
4 to continuing the Case Management Conference until March 13, 2009, at 10:30 a.m.,
5 and good cause appearing therefore, IT IS SO ORDERED., with the exceptions that the
6 hearing is continued to March 27, 2009, and the Case Management Conference is continued
to April 24, 2009.

7 DATED: January 12, 2009


THE HON. MAXINE M. CHENEY
United States District Court Judge

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9 Additional Co-Counsel for Plaintiffs:

10 Dario de Ghetaldi – Bar No. 126782
11 Jerry E. Nastari – Bar No. 151756
12 Amanda L. Riddle – Bar No. 215221
13 COREY LUZAICH PLISKA DE GHETALDI & NASTARI LLP
14 700 El Camino Real
15 P.O. Box 669
16 Millbrae, CA 94030
17 Telephone: 650.871.5666
18 Facsimile: 650.871.4144
19 Email: deg@coreylaw.com

20 Michael G. Reedy – Bar No. 161002
21 McMANIS FAULKNER
22 50 West San Fernando Street, Suite 1000
23 San Jose, CA 95113
24 Telephone: 408.279.8700
25 Facsimile: 408.279.3244
26 Email: mreedy@mcmanisfaulkner.com

27 Additional Counsel for Individual Plaintiffs

28 Dana M. McRae – Bar No. 142231
Santa Cruz County Counsel
Office of the County Counsel
Government Center, County of Santa Cruz
701 Ocean Street, Room 505
Santa Cruz, CA 95060
Telephone: 831.454.2040
Facsimile: 831.454.2115
Email: dana.mcrae@co.santa-cruz.ca.us
Attorneys for Santa Cruz County

Daniel Wallace – Bar 37287
Santa Barbara County Counsel
Celeste E. Andersen – Bar No. 141965
Deputy Santa Barbara Counsel
Office of the County Counsel
105 East Anapuma, Suite 201
Santa Barbara, CA 93101
Telephone: 805.568.2950
Attorneys for Santa Barbara County

1 Steven M. Woodside – Bar No. 58684
2 Sonoma County Counsel
3 Office of the County Counsel
4 575 Administration Drive, Suite 105A
5 Santa Rosa, CA 95403
6 Telephone: 707.565.2421
7 Facsimile: 707.565.2624
8 Email: swoodside@sonoma--county.org
9 Attorneys for Sonoma County

R. Wyatt Cash – Bar No. 47563
San Luis Obispo County Counsel
Rita L. Neal – Bar No. 151156
Dep. San Luis Obispo County Counsel
Office of the County Counsel
1055 Monterey Street, Suite D320
San Luis Obispo, CA 93408
Telephone: 805.781.5400
Facsimile: 805.781.4221
Email: rneal@co.slo.ca.us
Attorneys for San Luis Obispo County

9 John J. Sansone – Bar No. 103060
10 San Diego County Counsel
11 Office of the County Counsel
12 County Administration Center
13 1600 Pacific Highway, Room 355
14 San Diego, CA 92101
15 Telephone: 619.531.4860
16 Facsimile: 619.531.6005
17 Email: john.sansone@sdcounty.ca.gov
18 Attorneys for San Diego County

Charles J. McKee – Bar No. 152458
Monterey County Counsel
William M. Litt – Bar No. 166614
Deputy Monterey County Counsel
Office of the County Counsel
168 West Alisal Street, 3rd Fl.
Salinas, CA 93901
Telephone: 831.755.5045
Facsimile: 831.755.5283
Email: littwm@co.monterey.ca.us
Attorneys for Monterey County

15 Patrick K. Faulkner – Bar No. 70801
16 Marin County Counsel
17 Jack F. Govi – Bar No. 88483
18 Assistant Marin County Counsel
19 Mari-Ann Gibbs Rivers – Bar No. 117053
20 Deputy Marin County Counsel
21 Office of the County Counsel
22 3501 Civic Center Drive, Suite 303
23 San Rafael, CA 94903
24 Telephone: 415.499.6117
25 Facsimile: 415.499.3796
26 Email: mrivers@co.marin.ca.us
27 Attorneys for Marin County
28