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22 Attorneys for Plaintiff

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24 UNITED STATES DISTRICT COURT  
 25 NORTHERN DISTRICT OF CALIFORNIA  
 26 SAN FRANCISCO DIVISION

27 JULIE CHATTLER, On Behalf of Herself and )  
 28 All Others Similarly Situated, )  
 )  
 29 Plaintiff, )  
 )  
 30 v. )  
 )  
 31 THE UNITED STATES OF AMERICA and )  
 32 THE UNITED STATES DEPARTMENT OF )  
 33 STATE, )  
 34 )  
 35 Defendants. )

No. 07-cv-04040 MMC (EMC)  
 STIPULATION AND ~~PROPOSED~~  
 ORDER CONTINUING HEARING ON  
 PLAINTIFF'S AND DEFENDANTS'  
 MOTIONS FOR SUMMARY  
 JUDGMENT  
 ACTION FILED: August 7, 2007

1           WHEREAS Defendants United States of America and the United States Department of  
2 State filed their motion for summary judgment on January 30, 2009, and Plaintiff Julia Chattler  
3 filed her partial motion for summary judgment on January 30, 2009;

4           WHEREAS Plaintiff filed an Administrative Motion to Continue Hearing Date on Motions  
5 for Summary Judgment on March 5, 2009, seeking a continuance of the hearing on the motions for  
6 summary judgment and related motions to strike until such time as disputes related to the  
7 Defendants' privilege log – produced after Plaintiff had filed her Opposition to Defendants'  
8 Motion for Summary Judgment – could be resolved, based on Plaintiff's belief that the withheld  
9 documents appear relevant to the parties' positions on summary judgment;

10           WHEREAS this Court on March 11, 2009, granted in part Plaintiff's motion and continued  
11 the hearing until May 1, 2009, at 9:00 a.m.;

12           WHEREAS Plaintiff filed a Motion to Compel Production of Documents Designated as  
13 Privileged on March 11, 2009, which was heard on April 15, 2009, by Magistrate Judge Chen;

14           WHEREAS Magistrate Judge Chen entered an Order Requiring Further Meet and Confer  
15 Re Plaintiff's Motion to Compel Production of Documents Designated as Privileged on April 15,  
16 2009;

17           WHEREAS Magistrate Judge Chen's order instructed Defendants to provide a consolidated  
18 electronic privilegel log, instructed the parties to meet and confer further, with guidance from the  
19 Court, and instructed the parties to file a joint letter of disputed issues by April 29, 2009, if the  
20 parties are unable to resolve their disputes;

21           WHEREAS the parties are currently attempting to schedule a meet and confer and  
22 Defendants are working to produce a consolidated electronic log;

23           WHEREAS the current hearing schedule will not allow the parties sufficient time to meet  
24 and confer and attempt to resolve their disputes in accordance with Magistrate Judge Chen's Order  
25 and to file any necessary supplemental briefing with this Court related to the motions for summary  
26 judgment;

1 WHEREAS pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6.1(b) and  
2 6.2, and subject to approval by the Court, the parties stipulate to continue the hearing on the  
3 motions for summary judgment to May 22, 2009;

4 WHEREAS the only previous time modifications to the schedule in this case have been, by  
5 stipulation and Court order, the re-scheduling of the Initial Case Management Conference from  
6 December 7, 2007 to January 18, 2008 at 2:00 p.m.; by Court order, continuing the Initial Case  
7 Management Conference from February 15, 2008 to April 11, 2008; by stipulation and Court order,  
8 the shortening of time in the briefing on Plaintiff's Motion to Strike to be heard concurrently with  
9 Defendant's motion to dismiss on March 14, 2008 at 9:00 a.m.; by stipulation and Court order,  
10 extending the time to file oppositions to motions for summary judgment from February 13, 2009 to  
11 February 20, 2009 and continuing the hearing on the parties' motions to dismiss by one week, from  
12 March 6, 2009 to March 13, 2009; and by motion and Court order, continuing the hearing on the  
13 parties' motions for summary judgment and related motions from March 13, 2009 to May 1, 2009;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the  
15 undersigned counsel for Plaintiff and counsel for Defendants, subject to the approval of the Court,  
16 that the hearing on the Motions for Summary Judgment and Defendants' related motions to strike  
17 is continued until May 22, 2009.

18  
19 DATED: April 23, 2009

HAGENS BERMAN SOBOL SHAPIRO LLP

20  
21 /s/ Shana E. Scarlett  
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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 24, 2009

  
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THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT COURT JUDGE