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19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 SAN FRANCISCO DIVISION

23 CENTER FOR BIOLOGICAL
DIVERSITY, a non-profit organization,

24 Plaintiff,

25 v.

26 THE OFFICE OF MANAGEMENT AND
27 BUDGET,

28 Defendant.

No. C 07-4997 MHP

**STIPULATION AND ~~(PROPOSED)~~
ORDER REGARDING DEADLINE FOR
FILING OPPOSITION BRIEFS ON
PENDING MOTIONS FOR SUMMARY
ADJUDICATION**

1 IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval
2 of the Court, that the date for the parties to file their respective opposition briefs for the currently
3 pending cross-motions for summary adjudication (currently scheduled to be filed on October 20,
4 2008) shall be continued to October 23, 2008. The reason for this stipulation is that counsel for
5 Defendant has been sick since last weekend and has not been able to prepare an opposition brief
6 due to the symptoms he has been experiencing. Counsel for Plaintiff agreed to this request on
7 the condition that the current hearing date of November 17, 2008 be maintained and the parties
8 request that the hearing date be maintained. The parties believe that the Court will have
9 sufficient time to review the papers since under this stipulated request the Court would have the
10 papers for three weeks in advance of the hearing since no reply briefs will be filed by the parties.

11 The parties have not previously continued the dates contained in this stipulation.

12 Respectfully submitted,

13 DATED: October 16, 2008

14 By: /s/
15 VERA PARDEE
16 Attorneys for Plaintiff
17 JOSEPH P. RUSSONIELLO
18 United States Attorney

19 DATED: October 16, 2008

20 By: /s/
21 MICHAEL T. PYLE
22 Assistant United States Attorney
23 Attorneys for Defendant

24 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

25 The date for the parties to file their respective opposition briefs is continued to October
26 23, 2008. The hearing on the parties' cross-motions for summary adjudication will be held, as
27 previously ordered by the Court, on November 17, 2008 at 2:00 p.m.

28 DATED: October 21, 2008

HON. MARILYN H. PATEL
United States District Judge

