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 CITY OF OAKLAND

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10 Attorneys for Plaintiff
 WALTER B. HOYE, II

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14
 15 WALTER B. HOYE, II,
 16 Plaintiff,
 17 v.
 18 CITY OF OAKLAND
 19 Defendant.

CASE NO. C07-06411 CRB
**STIPULATION AND ~~[PROPOSED]~~
 ORDER REGARDING CASE
 SCHEDULE**

20
 21 WHEREAS, the Court has ordered the parties to file motions for summary judgment by
 22 March 6, 2009;

23 WHEREAS, the parties have been actively pursuing discovery;

24 WHEREAS, two of the defendant's attorneys have upcoming trials, to wit, a month-long,
 25 federal criminal trial in the Southern District of California beginning on March 3, 2009, and a
 26 two-week long civil trial in the Marin County Superior Court beginning on April 16th, 2009;

27 WHEREAS, the parties have met and conferred about a reasonable but expeditious
 28 schedule for the motions for summary judgment as follows;

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WHEREAS, plaintiff is stipulating to this continuance as a scheduling courtesy to defendants, and the parties agree that the delay brought about by this stipulation does not imply and should not be used to imply lack of irreparable injury to plaintiff:

The parties hereto hereby STIPULATE and AGREE:

- 1. That the motions for summary judgment shall be filed on or before May 1, 2009 and heard on Friday, June 5 at 10:00 am, per the Local Rules.

Dated: February 24, 2009


ANGELA L. PADILLA
SARAH C. MARRIOTT
ERIN H. REDING
ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Angela L. Padilla

Angela L. Padilla
Attorneys for Defendant
City of Oakland

Dated: February 24, 2009

MICHAEL MILLEN
CATHERINE SHORT



Michael Millen
Attorneys for Plaintiff
Walter B. Hoye, II

1 I hereby attest that I have permission to file for any signatures indicated by a "conformed"
2 signature (/s/) within this efiled document.

3 ORRICK HERRINGTON & SUTCLIFFE LLP

4
5 /s/ Angela L. Padilla
6 Angela L. Padilla
7 Attorneys for Defendant

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9 Based on the Stipulation of the parties, and good cause appearing therefore,
10 **IT IS HEREBY ORDERED:**

11 2. That the motions for summary judgment shall be filed on or before May 1,
12 2009 and heard on Friday, June 5 at 10:00 am, per the Local Rules.

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14 Dated February 26, 2009.

