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16 Attorneys for Federal Defendants

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20 SUZANNE YVETTE MITCHEL,
 21)
 Plaintiff,)
 22)
 v.)
 23)
 MICHAEL MUKASEY, ATTORNEY)
 24 GENERAL OF THE UNITED STATES,)
 25)
 Defendant.)

No. C 08-0205 MEJ
 E-FILING CASE

**STIPULATION AND ~~PROPOSED~~
 ORDER PERMITTING
 SUPPLEMENTAL BRIEFING**

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1 The parties have reviewed with care the local rules regarding the filing of papers to be
2 submitted in connection with motions for summary judgment. The parties nevertheless seek
3 modification of this Court's rules in order to facilitate the full and complete briefing of
4 defendant's motion and plaintiff's counter-motion within reasonable time periods in light of the
5 issues raised and the pace of the receipt of evidence by the parties. Accordingly, the parties
6 hereby stipulate and request that the Court permit the following adjustments:

- 7 1. On or before March 30, 2009, defendant will be permitted to file an amended
- 8 response to substitute for and take the place of the reply brief filed March 26, 2009.
- 9 2. On or before March 31, 2009, plaintiff shall be permitted to file a sur-reply not to
- 10 exceed 5 pages in length. Such sur-reply will respond to the arguments and
- 11 evidence filed on March 30, 2009.

12 Respectfully submitted,
 13 JOSEPH P. RUSSONIELLO
 United States Attorney
 14 Mark Schallert, Esq.

15 Dated: March 30, 2009 /s/ /s/
 16 Mark Schallert, Esq. ABRAHAM A. SIMMONS
 Counsel for Plaintiff Assistant United States Attorney

17
18 ~~**PROPOSED**~~ **ORDER**

19 Good cause appearing,
20 **IT IS SO ORDERED.**

21 Dated: March 31, 2009
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 23 
 HONORABLE JUDGE ELENA JAMES
 UNITED STATES MAGISTRATE JUDGE