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13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**

16 KEVIN M. SCHILLING, JOHN PINEDO,  
 WILLIAM TELLEZ, on behalf themselves  
 17 and all those similarly situated,

Case No. 3:08-cv-00941 SI

18 Plaintiffs,

**STIPULATION, DECLARATION, AND**  
~~**PROPOSED ORDER**~~ **EXTENDING**  
**BRIEFING SCHEDULE ON PLAINTIFFS'**  
**MOTION FOR PARTIAL SUMMARY**  
**JUDGMENT**

19 v.

20 TRANSCOR AMERICA, LLC, SGT.  
 JOHN SMITH, OFFICER JEFF  
 21 BRUMMETT, and DOES 1 through 100,

**DATE: MAY 18, 2012, 9 AM**

22 Defendants.

23  
 24 Pursuant to Civil Local Rule 6-1, 6-2, and 7-12, the parties hereby stipulate to grant  
 25 Defendants 90 days, or until March 20, 2012, in which to respond to Plaintiffs' Motion for Partial  
 26 Summary Judgment, and allow Plaintiffs to file any reply by April 20, 2012, and in so doing  
 27  
 28

1 vacate the current January 27, 2012 (9 am) hearing date and reschedule such hearing for May 18,  
2 2012 at 9 am. This stipulation will not alter any other deadlines that have been set by the Court.

3           Undersigned counsel declare that an extension of the summary judgment briefing schedule  
4 is required to allow Defendants to take specific discovery and otherwise gather evidentiary  
5 materials to adequately prepare their response, and that the modified briefing schedule is  
6 otherwise consistent with the current dispositive-motion deadline of April 23, 2012.

8 Dated: December 30, 2011

STRUCK WIENEKE & LOVE, P.L.C.

9  
10 By /s/ Daniel P. Struck

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Rachel Love (*admitted pro hac vice*)

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14 Nicholas C. Miller

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16 Attorneys for Defendants, TransCor America,  
L.L.C., Jeff Brummett and John Smith

17 By: /s/ Andrew C. Schwartz (per authority)

Andrew C. Schwartz, Esq.

Attorney for Plaintiffs

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20 Pursuant to Stipulation, it is so ordered.

21  
22 DATED: January 4, 2012.

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Hon. Susan Illston

United States District Judge