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 9 Attorney for Plaintiff
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISCTRICK OF CALIFORNIA

10 MARJORY ANDERSON,) CASE NO. CV08-2354 VRW
 11)
 12 Plaintiff,) **STIPULATED JOINT REQUEST**
 13) **FOR CONTINUANCE;**
 14 v.) **[PROPOSED] ORDER**
 15)
 16 TAMALPAIS COMMUNITY)
 17 SERVICES DISTRICT, *et al.*,)
 18)
 19 Defendants)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

17 The undersigned counsel jointly request this honorable Court to continue,
 18 until February 26, 2009, at 2:30 pm, the hearing of Defendants’ Motions to Strike and
 19 Motions to Dismiss, currently set for February 5, 2009 at 2:30 pm.

21 Good cause for the requested continuance exists in the following
 22 circumstances: (1) the parties have been exploring possible settlement of the matters
 23 between them, and in so doing discussed the fact that minimizing attorneys’ fees incurred in
 24 pursuing the subject motions would increase the economic window within which settlement
 25 might be reached, (2) counsel for Pearce and Frankman and Special District Risk
 26 Management Authority both acknowledged to Plaintiff’s counsel that delay in the parties’

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1 preparing opposition and reply briefs for the pending motions might be warranted, causing
2 him to delay the preparation of appropriate opposition briefs; (3) the evaluation of
3 settlement issues by one Defendant has taken longer than expected; and (4) Plaintiff's
4 counsel now needs additional time to draft appropriate opposition briefs to the six (6)
5 pending motions to address the possibility that settlement may not be reached until those
6 motions are resolved.
7

8 DATED: January 15, 2009

9 _____/s/_____
10 Antonio L. Cortes,
11 Counsel for Plaintiff

12 DATED: January 15, 2009

13 MCCORMACK, BARSTOW, SHEPPARD
14 WAYTE & CARUTH LLP

15 _____/s/_____
16 James P. Wagoner, Esq.
17 Counsel for Special District Risk Management
18 Authority

19 DATED: January 15, 2009

20 BERTRAND, FOX & ELLIOT

21 _____/s/_____
22 Eugene B. Elliot, Esq.,
23 Counsel for Jon Elam and Tamalpais
24 Community Services District

25 DATED: January 15, 2009

26 LERCH STURMER LLP

27 _____/s/_____
28 Debra Steel Sturmer, Esq.,
Counsel for Pearce and Frankman and Millen
Griffith

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Attorney Attestation

Pursuant to General Order 45, I attest that I obtained the concurrence of the other signatories to this e-filed document before filing it.

DATED: January 15, 2009

_____/s/_____
Antonio L. Cortes

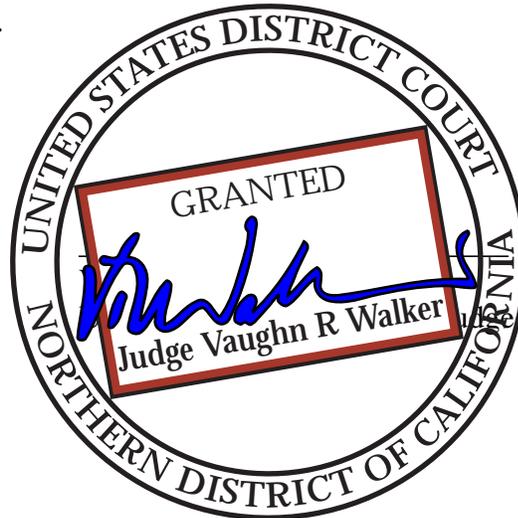
~~PROPOSED~~ ORDER

The foregoing parties having requested a continuance of the February 5, 2009 hearing of Defendants' Motions to Dismiss and Motions to Strike, and good cause appearing therefor, it is hereby

ORDERED, that all pending Motions filed by Defendants shall be set for hearing February 19, 2009, at 2:30 pm.

SO ORDERED

Date: 1/20/2009 _____



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