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 Edmund G. Brown Jr., Attorney General of the State
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13 IN THE UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO/OAKLAND DIVISION

16 **PEOPLE OF THE STATE OF CALIFORNIA**
 17 *ex rel.* **EDMUND G. BROWN JR.,**
 18 **ATTORNEY GENERAL OF THE STATE OF**
CALIFORNIA,

Case No.: C08-02741 MEJ

STIPULATION AND ~~PROPOSED~~
ORDER RE MOTION SCHEDULE

19 Plaintiff,

20 v.

21 **UNITED STATES FOOD & DRUG**
 22 **ADMINISTRATION,**

23 Defendant.

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 25 The People of the State of California, by and through Plaintiff Edmund G. Brown Jr.,
 26 Attorney General of the State of California, and defendant United States Food & Drug
 27 Administration (“FDA”) jointly submit this proposed schedule for upcoming motions pursuant to
 28 the Court’s order filed September 24, 2008.

Stipulation and [Proposed] Order – C08-02741 MEJ

1 The parties have met and conferred, as directed by the Court, and hereby stipulate and agree
2 as follows:

- 3 1. Plaintiff shall file its motion for supplementation of *Vaughn* index, if any, by January 15,
- 4 2009;
- 5 2. The hearing on plaintiff's motion for supplementation of *Vaughn* index, if any, shall take
- 6 place on February 19, 2009;
- 7 3. The Court shall set briefing and hearing dates for cross-motions for summary judgment
- 8 after it adjudicates the supplementation motion, if any; and
- 9 4. The Court shall set briefing and hearing dates for an attorneys' fee motion, if appropriate,
- 10 after it adjudicates the cross-motions for summary judgment.

11 Respectfully submitted,

12 EDMUND G. BROWN JR.
13 Attorney General of the State of California

JOSEPH P. RUSSONIELLO
United States Attorney

14 _____ /s/

_____ /s/

15 LAURA J. ZUCKERMAN
16 Deputy Attorney General
Dated: November 18, 2008

ABRAHAM A. SIMMONS
Assistant United States Attorney
Dated: November 18, 2008

17 ~~PROPOSED~~ ORDER

18 The Stipulation is hereby approved, and the parties are ordered to comply with this Order.

19 In addition the Court orders:

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23 Dated: November 19, 2008 _____

HON. MAYRA ELENA-JAMES
Magistrate Judge
United States District Court

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