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7 CCPOA Benefit Trust Fund  
The CCPOA Benefit Trust Fund Health and Welfare Plan  
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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 KEN LEWIS,

13 Plaintiff,

14 vs.

15 CALIFORNIA CORRECTIONAL PEACE  
OFFICERS ASSOCIATION; CCPOA  
16 BENEFIT TRUST FUND; THE CCPOA  
BENEFIT TRUST FUND HEALTH AND  
17 WELFARE PLAN and DOES 1 through 2-,  
inclusive,

18 Defendants.  
19

Case No. CV 08-03228 VRW (DMR)

**STIPULATION AND ~~[PROPOSED]~~  
ORDER REGARDING EXTENSION OF  
BRIEFING DEADLINES**

Date: August 26, 2010  
Time: 11:00 a.m.  
Courtroom: 4, 3<sup>rd</sup> Floor  
Judge: Magistrate Donna M. Ryu

20  
21 Plaintiff Ken Lewis (“Plaintiff”) and Defendants CCPOA Benefit Trust Fund (the “Fund”)  
22 and CCPOA Benefit Trust Fund Health and Welfare Plan (the “Plan”) (hereinafter together  
23 referred to as “Defendants”) hereby stipulate (and request that the Court enter the order proposed  
24 below) as follows:

25 1. On June 15, 2010, the Court entered a Notice of Reference and Order Re Discovery  
26 Procedures (the “Discovery Order”) (Docket #117), setting briefing deadlines for Plaintiff’s motion  
27 to compel and to strike and a hearing date of August 12, 2010.

28 2. On June 17, 2010, the Court approved the parties’ stipulation to continue the

1 hearing date on Plaintiff's motion to August 26, 2010, without altering the remaining briefing  
2 deadlines (Docket #118).

3 3. To accommodate scheduling conflicts and health issues on the part of Defendants'  
4 counsel, the parties have agreed to stipulate, by and through their respective counsel, to extend the  
5 remaining briefing deadlines by five days, so that the new deadlines are as follows:

- 6 • **Defendants' Opposition to Plaintiff's motion shall be filed no later than July 7,**  
7 **2010 (current deadline is July 2, 2010);**
- 8 • **Plaintiff's Reply Memorandum, if any, shall be filed no later than July 16, 2010**  
9 **(current deadline is July 11, 2010).**

10 4. This extension will not affect the current hearing date of August 26, 2010, and it  
11 will not affect any other deadline or date set by Court order. Briefing will still be completed more  
12 than one month prior to the hearing date.

13  
14 DATED: July 1, 2010

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15  
16 By: \_\_\_\_\_  
17 Robert F. Schwartz  
18 Attorneys for Defendants  
19 The CCPOA Benefit Trust Fund and The CCPOA  
20 Benefit Trust Fund Health and Welfare Plan

21  
22 DATED: July 1, 2010

PILLSBURY & LEVINSON

23 By: /s/Brian Kim  
24 Brian Kim  
25 Attorneys for Plaintiff Ken Lewis

26 I attest that I have obtained Mr. Kim's concurrence in the filing of this document.

27  
28 DATED: July 1, 2010

/s/Robert F. Schwartz  
Robert F. Schwartz

**[PROPOSED] ORDER**

Pursuant to the foregoing stipulation of the parties, IT IS SO ORDERED. Defendants' Opposition to Plaintiff's Motion to Strike and to Compel (Docket #120) shall be filed no later than July 7, 2010, and Plaintiff's Reply Memorandum, if any, shall be filed no later than July 16, 2010.

DATED: July 1, 2010

By:   
Honorable Donna M. Ryu  
United States District Court Magistrate Judge

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