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7 ATTORNEYS FOR THE UNITED STATES OF AMERICA

8 UNITED STATES DISTRICT COURT

9
10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

13 ERIC GERENCSE,)
)
 14 Plaintiff,)
)
 15 v.)
)
 16 UNITED STATES OF AMERICA; DAVID)
 RIDDLE,)
 17)
 Defendants.)
 18)

No. C 08-4521 SC

STIPULATION AND PROPOSED ORDER

Date: February 20, 2009
Time: 10:00 a.m.
Place: Courtroom 1, 17th Floor
Judge: Hon. Samuel Conti

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1 Subject to the approval of this Court, plaintiff ERIC GERENCSEK and defendant UNITED
2 STATES OF AMERICA, by and through the undersigned, stipulate to postpone the pending
3 hearing date on the Federal Defendant's motion to dismiss, currently set for February 20, 2009.

4 After following the Court's scheduling protocols by first reserving a hearing date, the parties
5 agree to the following revised schedule:

- 6 (1) The new last date for plaintiff to file his opposition will be **March 6, 2009**;
7 (2) The new last date for filing of a reply will be **March 20, 2009**;
8 (3) The new hearing date will be **April 3, 2009**.

9 The parties make this stipulation and proposed order because of plaintiff's counsel's recent
10 illness.

11 **IT IS SO STIPULATED.**

12 DATED: January 23, 2009

TONSING LAW FIRM

14 /s/
15 MICHAEL J. TONSING
Attorney for Plaintiff GERENCSEK

17 DATED: January 26, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

19 /s/
20 JONATHAN U. LEE
Assistant United States Attorney
Attorneys for UNITED STATES

22 **PURSUANT TO STIPULATION, IT IS APPROVED AND SO ORDERED.**

24 DATED: 2/2/09

