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 PERALTA COMMUNITY COLLEGE
 7 DISTRICT; KERRY COMPTON; DEREK
 PIAZZA; and PETER SIMON
 8

9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11
 12 KANDY KYRIACOU and OJOMA OMAGA,

13 Plaintiffs,

14 vs.

15 PERALTA COMMUNITY COLLEGE
 DISTRICT; KERRY COMPTON; DEREK
 16 PIAZZA; and PETER SIMON,

17 Defendants.
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 19
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CASE NO. C08-04630

**STIPULATION TO EXTEND DEADLINE
 FOR DEFENDANTS TO FILE REPLY
 MEMORANDUM TO PLAINTIFFS'
 OPPOSITION TO DEFENDANTS' 12(b)(6)
 MOTION TO DISMISS**

[Civil Local Rule 6-1(b)]

Trial Date: None Set

Crtrm.: 10, 19th Floor
 Judge: Honorable Susan Illston

21 Pursuant to the United States District Court Northern District of California Civil Local
 22 Rule 6-1(b), the parties to the above-captioned action submit the attached stipulation to extend the
 23 deadline, to and including Friday, February 20, 2009, by which Defendants Peralta Community
 24 College District ("College"), Kerry Compton ("Compton"), Derek Piazza ("Piazza"), and Peter
 25 Simon ("Simon") (collectively "Defendants") may file their Reply to Plaintiffs' Opposition to
 26 Defendants' 12(b)(6) Motion to Dismiss Plaintiffs' Verified First Amended Complaint.
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RECITALS

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2 1. Whereas, on January 9, 2009, Defendants filed a 12(b)(6) Motion to Dismiss
3 Plaintiffs' First Amended Complaint for Injunction and Declaratory Relief and Attorney Fees
4 ("Complaint"), set for hearing on February 27, 2009.

5 2. Whereas, on February 6, 2009, Plaintiffs filed and served their Opposition to the
6 Motion.

7 3. Whereas, on February 13, 2009, the parties submitted a Joint Case Management
8 Conference Statement that provided for the Reply to be filed by February 20, 2009, but
9 Defendants did not seek or obtain a stipulation and order from the Court permitting the filing of
10 the reply memorandum less than 14 days prior to the hearing.

11 4. Whereas, Plaintiffs' counsel does not object to the filing of Defendants' Reply
12 Memorandum on Friday, February 20, 2009;

STIPULATION

13
14 WHEREFORE, based on the foregoing recitals, THE PARTIES HEREBY STIPULATE
15 that the Defendants may file their Reply to Plaintiffs' Opposition to Defendants' 12(b)(6) Motion
16 to Dismiss Verified First Amended Complaint on Friday, February 20, 2009.

17 DATED: February 19, 2009

18 BERGQUIST, WOOD & ANDERSON, LLP


19 By: 

20 Steven N.H. Wood
21 Attorneys for Plaintiffs
22 Kandy Kyriacou and Ojoma Omega

23 DATED: February 19, 2009

FAGEN FRIEDMAN & FULFROST, LLP

24 The motion is continued to 3/6/09 @ 9:00
25 a.m.

26 By: 

27 Roy A. Combs
28 Gretchen M. Shipley
Attorneys for Defendants
Central Community College District, Kerry
Compton, Derek Piazza and Peter Simon



00364.00103/119948.1

C08-04630

DEADLINE FOR DEFENDANTS TO FILE REPLY TO
PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS

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