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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 MARY B. FOYE,
 13 Plaintiff,
 14 v.
 15 NATIONAL PASSENGER RAILROAD
 CORPORATION dba AMTRAK,
 16 Defendants.
 17 _____

) NO. C08-4796 SI
)
) **STIPULATION AND [PROPOSED] ORDER**
) **TO RESET HEARING DATE FOR**
) **DEFENDANT’S MOTION TO AMEND ITS**
) **ANSWER**
) _____

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 19 Plaintiff MARY B. FOYE, (“MS. FOYE”) and Defendant AMTRAK by and
 20 through their respective counsel, agree that the hearing set for March 20, 2009 regarding
 21 Defendant’s Motion to Amend, should be vacated, and request a new schedule as follows:

- 22 1. There is good cause to postpone the hearing because Ms. Foye’s counsel has
 23 requested that the hearing be postponed because she has been in trial in an unrelated matter.
 24 2. The parties stipulate and request that the Court hold the hearing on
 25 Defendant’s Motion to Amend its Answer on the same day and time as the Case
 26 Management Conference on April 24, 2009.

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IT IS SO STIPULATED.

Dated: February 27, 2009

PRICE AND ASSOCIATES

/s/

PAMELA Y. PRICE, Attorneys for Plaintiff
MARY B. FOYE

Dated: February 27, 2009

JACKSON LEWIS

/s/

ERIKA BARBARA PICKLES, Attorneys for
Defendant AMTRAK

ORDER

The Court having read and considered the Stipulation and [Proposed] Order to Continue the Hearing of Defendant's Motion to Amend its Answer, and good cause appearing therefore, hereby orders that the March 20, 2009 hearing shall be continued to April 24, 2009. Motion set at 9:00 a.m.

Date: _____



SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE