

JOSEPH P. RUSSONIELLO, CSNB 44332
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Chief, Civil Division
 EDWARD A. OLSEN, CSBN 214150
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-6915
 FAX: (415) 436-6927

Attorneys for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

KAISER FOUNDATION HEALTH
 PLAN, INC.,

Plaintiff,

v.

MICHAEL O. LEAVITT, Secretary of the
 United States Department of Health and
 Human Services,

Defendant.

No. C 08-4890-SC

**STIPULATION TO MODIFY THE
 BRIEFING SCHEDULE; AND ~~PROPOSED~~
 ORDER**

Plaintiff, by and through its attorneys of record, and Defendant, by and through his attorneys of record, hereby stipulate, subject to the approval of the Court, to modify the briefing schedule in light of the Defendant's need for an additional week to complete his Opposition to Plaintiff's Motion for Summary Judgment/Cross-Motion for Summary Judgment. The parties do not request to change the hearing date. The proposed modified briefing schedule is as follows:

Plaintiff's Motion for Summary Judgment:	On file
Defendant's Opposition/Cross-Motion for Summary Judgment:	May 1, 2009
Plaintiff's Reply/Opposition:	May 29, 2009
Defendant's Reply:	June 12, 2009
Hearing:	June 26, 2009 at 10:00 a.m.

STIPULATION TO MODIFY THE BRIEFING SCHEDULE; AND ~~PROPOSED~~ ORDER
 C 08-4890-SC

1
2 Date: April 23, 2009

Respectfully submitted,

3 JOSEPH P. RUSSONIELLO
4 United States Attorney

5 /s/
6 EDWARD A. OLSEN
7 Assistant United States Attorney
8 Attorneys for Defendant

9 Date: April 23, 2009

10 /s/
11 JON P. NEUSTADTER
12 Hooper, Lundy & Bookman, Inc.
13 Attorneys for Plaintiff

14 **[~~PROPOSED~~] ORDER**

15 Pursuant to stipulation, IT IS SO ORDERED.

16 Date: 4/24/09

