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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION
 11

12 KAISER FOUNDATION HEALTH)
 PLAN, INC.,)
 13)
 Plaintiff,)
 14)
 v.)
 15)
 MICHAEL O. LEAVITT, Secretary of the)
 16 United States Department of Health and)
 Human Services,)
 17)
 Defendant.)
 18)

No. C 08-4890-SC

**STIPULATION TO EXTEND DEADLINE
 FOR DEFENDANT’S RESPONSIVE
 PLEADING AND THE DATE OF THE
 CASE MANAGEMENT CONFERENCE;
 AND [~~PROPOSED~~] ORDER**

19 Plaintiff, by and through its attorneys of record, and Defendant, by and through his attorneys of
 20 record, hereby stipulate, subject to the approval of the Court, to a 45-day extension of the deadline
 21 for the Defendant’s responsive pleading in light of the fact that the Defendant is still in the process
 22 of compiling the administrative record for this Court’s review. The Defendant shall file his
 23 responsive pleading on or before February 12, 2009.

24 Moreover, in light of the fact that the Defendant’s responsive pleading will be due on February
 25 12, 2009, the parties jointly ask this Court to extend the date of the case management conference,
 26 currently scheduled for February 6, 2009, to March 20, 2009.

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28 //

1 Date: December 22, 2008

Respectfully submitted,

2 JOSEPH P. RUSSONIELLO
United States Attorney

3
4 /s/
5 EDWARD A. OLSEN
Assistant United States Attorney
6 Attorneys for Defendant

7 Date: December 22, 2008

8 /s/
9 JON P. NEUSTADTER
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Attorneys for Plaintiff

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11
12 **ORDER**

13 Pursuant to stipulation, IT IS HEREBY ORDERED that:

14 (1) the Defendant shall file his responsive pleading on or before February 12, 2009, and

15 (2) the Case Management Conference, currently scheduled for February 6, 2009, shall be
16 re-scheduled for March 20, 2009.

17
18 Date:

