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7 *Attorneys for Plaintiffs*

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 JAMES W. FORSYTHE, M.D.,)
 EARLENE FORSYTHE,)
 11)
 Plaintiffs,)
 12)
 v.)
 13)
 MICHAEL MUKASEY, in his official)
 14 capacity as ATTORNEY GENERAL,)
 UNITED STATES DEPARTMENT OF)
 15 JUSTICE; MICHAEL LEAVITT, in his)
 official capacity as SECRETARY OF THE)
 16 DEPARTMENT OF HEALTH AND)
 HUMAN SERVICES, ANDREW C. VON)
 17 ESCHENBACH, M.D., in his official)
 capacity as the ACTING COMMISSIONER)
 18 OF THE UNITED STATES FOOD AND)
 DRUG ADMINISTRATION, MARK)
 19 GUNDERSON, M.D., an individual,)
 ROBERT PERLSTEIN, M.D., an individual)
 20 JOHN ZELINSKY, an individual,)
 and DOES 1-10)
 21)
 Defendants.)
 22 /

MMC
 Case No. C 08-05160-~~EMC~~
 ORDER APPROVING
 STIPULATION ~~AND ORDER~~
 TO EXTEND TIME TO FILE
 OPPOSITION TO DEFENDANT'S
 MOTION TO DISMISS FAC
 (FIRST REQUEST)

23 IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN Plaintiffs, James
 24 W. Forsythe, M.D., Earlene Forsythe, through their attorney of record, Marie Mirch, and
 25 Defendant, Mark Gunderson, M.D., through his attorneys, Hager and Hearne, Treva Hearne ,
 26 that the deadline for Plaintiffs to file their opposition to Defendant's Motion to Dismiss is hereby
 27 extended to and including, Wednesday, April 15, 2009.

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1 The Opposition is currently due on April 13, 2009. This is Plaintiff's first request for an
2 extension of time, and is made in order to accommodate counsel's schedule and is not made for
3 the purpose of any undue delay.

4 DATED: April 13 2009.

7 BY: /s/ Marie C. Mirch
8 Marie C. Mirch
9 MIRCH LAW OFFICE
10 444 West C Street, Suite 320
11 San Diego, CA 92101
12 Counsel for Plaintiff

13 DATED: April 13, 2009.

14 BY: /s/ Treva Hearne
15 Treva J. Hearne
16 Hager & Hearne
17 245 E. Liberty Street, Suite 110
18 Reno, Nv 89501
19 Counsel for Defendant,
20 Mark Gunderson, M.D.

21 **ORDER**

22 IT IS SO ORDERED.

23 DATED : April 14, 2009.

24 
25 UNITED STATES MAGISTRATE JUDGE
26 DISTRICT