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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 SASKIA RUSSELL, ET AL., )  
 15 Plaintiffs, )  
 16 v. )  
 17 UNITED STATES OF AMERICA, )  
 18 Defendant. )  
 19 )  
 20 )  
 21 )

Case No. C 08-5651 THE (EMC)

**STIPULATION AND ~~PROPOSED~~ ORDER  
 TO CONTINUE SUMMARY JUDGMENT  
 BRIEFING AND HEARING DATE**

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 28 **STIPULATION AND [PROPOSED] ORDER TO CONTINUE SUMMARY JUDGMENT  
 BRIEFING AND HEARING DATE**

1 Plaintiffs Saskia Russell, et al., and Defendant United States of America, by and through their  
2 undersigned counsel, hereby stipulate as follows:

3 WHEREAS, the settlement conference in this matter is currently set for February 22, 2010, the  
4 same day that summary judgment is currently due (with a hearing date currently scheduled for March 29,  
5 2010).

6 WHEREAS, Plaintiffs have requested to take the deposition of non-party Kevin Sheehan and  
7 believe this deposition is necessary to fully evaluate the case. The parties are informed and believe Mr.  
8 Sheehan is presently in Haiti assisting earthquake victims.

9 WHEREAS the parties have stipulated and the court has ordered that Mr. Sheehan's deposition  
10 may occur on a date mutually agreeable to Mr. Sheehan and counsel. The parties expect this deposition  
11 to take place in late February or early March 2010.

12 WHEREAS the parties agree to a short continuance of the summary judgment briefing and hearing  
13 dates to accommodate the February 22, 2010 settlement conference and the upcoming deposition of Mr.  
14 Sheehan.

15 Accordingly, the parties hereby stipulate that the deadline to file summary judgment is continued  
16 from February 22, 2010 to March 8, 2010 and the hearing date on summary judgment is continued from  
17 March 29, 2010 to April 12, 2010.

18 **IT IS SO STIPULATED.**

19 DATED: February 16, 2010

BRAYTON PURCELL, LLP

21 /s/  
Clayton W. Kent  
22 Attorneys for Plaintiffs

23 DATED: February 16, 2010

JOSEPH RUSSONIELLO  
24 United States Attorney

26 /s/  
Victoria R. Carradero  
27 Assistant United States Attorney  
Attorneys for Federal Defendant

1 **PURSUANT TO STIPULATION IT IS SO ORDERED.**

2 The deadline to file summary judgment is hereby continued from February 22, 2010 to March 8,  
3 2010. The hearing date on summary judgment is hereby continued from March 29, 2010 to April 12,  
4 2010.

5 DATED: 02/16/10

