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12 Attorney for Plaintiff

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

17 JOSE ESPARZA, )  
 )  
 18 Plaintiff, )  
 )  
 19 v. )  
 )  
 20 UNITED STATES DEPARTMENT OF )  
 AGRICULTURE, and DOES 1 through )  
 21 20, inclusive, )  
 )  
 22 Defendants. )

No. 09-0449 EDL  
 STIPULATION AND ~~PROPOSED~~  
 ORDER CONTINUING INITIAL  
 CASE MANAGEMENT  
 CONFERENCE

23 STIPULATION

24  
 25 The parties, plaintiff Jose Esparza and defendant United States Department of  
 26 Agriculture, hereby stipulate to the following:  
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STIPULATION & ~~PROPOSED~~ ORDER  
 09-0449 EDL

1 1. Pursuant to the January 30, 2009 Order Setting Initial Case Management Conference  
2 and ADR Deadlines, the initial case management conference in the above-captioned case is  
3 currently set for May 12, 2009 at 10:00 a.m., and the joint case management statement is due on  
4 May 5, 2009.

5 2. Plaintiff served a copy of the summons and complaint in this case on the Civil  
6 Process Clerk for the United States Attorney's Office at 450 Golden Gate Avenue, San  
7 Francisco, California, on or about April 15, 2009. Counsel for defendant received a copy of the  
8 complaint on or about April 17, 2009.


9 3. To allow defendant and defendant's counsel sufficient time review the case prior to  
10 the case management conference, and prior to conferring with plaintiff's counsel regarding  
11 ADR selection, discovery matters and other issues relevant to the case management conference,  
12 subject to the Court's approval, the parties agree and stipulate to continue the initial case  
13 management conference to June 16, 2009, at 10:00 a.m. The parties jointly request that all  
14 other deadlines set in the January 30, 2009 Order Setting Initial Case Management Conference  
15 and ADR Deadlines be continued accordingly.

16 IT IS SO STIPULATED.  
17


18 Respectfully submitted,

19 JOSEPH P. RUSSONIELLO  
20 United States Attorney

21 Dated: April 22, 2009

22   
23 JENNIFER S. WANG  
24 Assistant United States Attorney

25 Dated: April 23, 2009

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27 CARY S. KLETTER  
28 KLETTER & PERETZ  
Attorney for Plaintiff

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**ORDER**

The Court orders that the initial case management conference currently set for May 12, 2009 at 10:00 a.m., be continued to June 16, 2009 at 10:00 a.m. The joint case management statement is due on June 9, 2009. Counsel for the parties shall meet and confer as required by Federal Rule of Civil Procedure 26(f) prior to the case management conference.

IT IS SO ORDERED.

Dated: April 23, 2009

