

\*E-Filed 5/10/10\*

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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 SHARON S. HENRY,

20 Plaintiff,

21 vs.

22 BANK OF AMERICA CORPORATION;  
 NANCY MENDOZA; CITY AND COUNTY  
 23 OF SAN FRANCISCO; CALVIN CHOW;  
 RAYMOND LEE,

24 Defendants.

Case No.: 3:09-cv-628 RS

**STIPULATION AND ~~PROPOSED~~  
 ORDER SET/RESET HEARING AND  
 CMC: MOTION HEARING AND CMC  
 SET FOR 6/10/2010 01:30 PM IN  
 COURTROOM 3, 17TH FLOOR, SAN  
 FRANCISCO**

Judge: Hon. Richard Seeborg  
 Date: June 10, 2010  
 Time: 1:30 p.m.  
 Location: United States Courthouse  
 Courtroom 3, 17th Floor  
 450 Golden Gate Ave.  
 San Francisco, CA 94102

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Whereas, on February 12, 2010, BofA moved the Court to fix the amount of attorney's fees and costs to which it is entitled as the prevailing defendant on a special motion to strike under Code of Civil Procedure section 425.16(c). Dkt. ##79-82. BofA's motion was scheduled to be heard by Judge Breyer on March 26, 2010.

Whereas, on March 7, 2010, Henry filed an opposition raising various objections to the motion. Dkt. ##84, 85. BofA filed its reply on memorandum on March 12, 2010. Dkt. #86.

Whereas, by Court Order dated March 18, 2010, this matter was reassigned to Judge Seeborg. Dkt. #89.

Whereas, on March 19, 2010, BofA re-noticed its motion to fix the amount of attorney's fees and costs to which it is entitled as the prevailing defendant on a special motion to strike under Code of Civil Procedure section 425.16(c). Dkt. #90.

Whereas, BofA's re-noticed motion for attorney's fees was scheduled to be heard on April 29, 2010.

Whereas, CLERKS NOTICE Case Management Conference set for 4/29/2010 01:30 PM in Courtroom 3, 17th Floor, San Francisco was issued. Dkt. # 96.

Whereas, on April 26, 2010 Set/Reset Hearings Motion Hearing set for 5/20/2010 01:30 PM in Courtroom 3, 17th Floor, San Francisco was issued.

Whereas, plaintiff counsels cannot cover this hearing due to prior set court appearances on this date and staff vacation.

Whereas, the plaintiff and defendants agree, with the Court's permission, to set/reset hearing and CMC for June 10, 2010 at 01:30 PM.

Respectfully submitted,

