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18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**

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21 CALIFORNIA NURSES
ASSOCIATION/NATIONAL NURSES
22 ORGANIZING COMMITTEE,

23 Plaintiff,

24 v.

25 CALIFORNIA PACIFIC MEDICAL
CENTER,

26 Defendants.
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CASE NO. C09-01132 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER SETTING BRIEFING
SCHEDULE FOR PARTIES'
SUMMARY JUDGMENT MOTIONS
AND SETTING HEARING DATE
FOR JULY 10, 2009, 10:00 A.M.**

1 CALIFORNIA PACIFIC MEDICAL
2 CENTER,

3 Cross-Petitioner,

4 v.

5 CALIFORNIA NURSES
6 ASSOCIATION/NATIONAL NURSES
7 ORGANIZING COMMITTEE,

8 Cross-Respondents.
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10 All parties to this action, through their duly authorized undersigned counsel, stipulate and
11 request as follows:

12 WHEREAS, Plaintiff/Cross-Respondent California Nurses Association/National Nurses
13 Organizing Committee (“CNA/NNOC”) filed its motion for summary judgment on May 7, 2009
14 and noticed the hearing for June 16, 2009;

15 WHEREAS, Defendant/Cross-Petitioner California Pacific Medical Center (“CPMC”)’s
16 opposition to CNA/NNOC’s motion must presently be filed by May 26, 2009 pursuant to Rule 7-
17 3 of the Civil Local Rules of the Northern District of California;

18 WHEREAS, this action has been reassigned to the undersigned Court since the filing of
19 CNA/NNOC’s motion;

20 WHEREAS, in light of the reassignment of this action and CPMC’s intention to file a
21 cross-motion, the parties have determined that a coordinated briefing schedule would assist
22 judicial economy and provide CPMC additional time needed to complete its summary judgment
23 briefing;

24 IT IS HEREBY STIPULATED that the parties will abide by the following briefing
25 schedule with respect to the summary judgment motions:

- 26 1. CPMC shall file and serve its opposition to CNA/NNOC’s motion for summary
27 judgment and its cross-motion for summary judgment (with one combined brief) no
28 later than **June 2, 2009**;

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- 2. CNA/NNOC shall file and serve its opposition to CPMC’s cross-motion and its reply in support of its motion for summary judgment (with one combined brief) no later than **June 16, 2009**;
- 3. CPMC may file a reply brief in support of its cross-motion for summary judgment no later than **June 23, 2009**; and
- 4. The hearing on both CNA/NNOC’s motion for summary judgment and CPMC’s cross-motion will be heard on **July 10, 2009 at 10:00 a.m.**

Dated: May 14, 2009.

Respectfully submitted,
JONES DAY

By: /s/ Christopher T. Scanlan
Christopher T. Scanlan

Attorneys for Defendant and Cross-Petitioner
CALIFORNIA PACIFIC MEDICAL
CENTER

Dated: May 14, 2009.

Respectfully submitted,

CALIFORNIA NURSES
ASSOCIATION/NATIONAL NURSES
ORGANIZING COMMITTEE LEGAL
DEPARTMENT

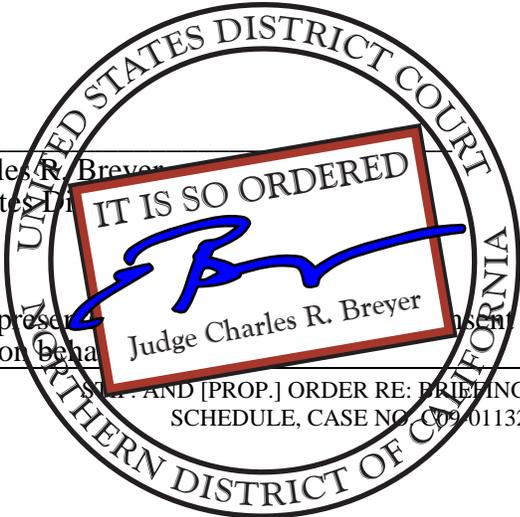
By: /s/
Donald W. Nielsen¹

Attorneys for Plaintiff and Cross-Respondent
CALIFORNIA NURSES ASSOCIATION/
NATIONAL NURSES ORGANIZING
COMMITTEE

IT IS SO ORDERED.

Dated: May 19 , 2009.

Hon. Charles R. Breyer
United States District Court



¹ Counsel electronically filing this stipulation represents that the undersigned opposing counsel to file this stipulation on behalf of