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5 Attorney for Plaintiffs.

6 UNITED STATES DISTRICT COURT FOR THE
 7 NORTHERN DISTRICT OF CALIFORNIA
 8

9 TANIA GARCIA-LOPEZ ET AL.,)
 10 Plaintiff,)
 11 v.)
 12 MICHAEL AYTES, ET AL.,)
 13 Defendants.)
 14)
 15 _____)

No. 3:09-cv-2592 SI

**STIPULATION TO CONTINUE
 HEARING DATE AND RESET
 BRIEFING SCHEDULE; [PROPOSED]
 ORDER**

Date: December 18, 2009
 Time: 9:00 a.m.
 Honorable Susan Illston

16 Plaintiffs, by and through their attorney of record, and Defendants, by and their attorneys
 17 of record, hereby stipulate, subject to the approval of the Court, to continue the hearing date on
 18 Defendants' Motion for Summary Judgment, currently scheduled on December 18, 2009, at 9:00
 19 a.m., on the following grounds:

- 20 1. Defendants filed a Motion for Summary Judgment on October 13, 2009.
 21 Plaintiffs' Opposition and Cross-Motion for Summary Judgment is currently due on November
 22 27, 2009 and a motions hearing is currently scheduled before the Court on December 18, 2009 at
 23 9:00 a.m.
- 24 2. Due to holiday traveling plans and staff shortage, Plaintiffs' counsel respectfully
 25 requests that the hearing date on the motions be continued and the briefing schedule reset.
- 26 3. Defendants' counsel has indicated that he has no opposition to resetting the
 27

28 Stipulation to Continue Hearing Date and Reset Briefing Schedule; [Proposed] Order
 No. 3:09-cv-2592 SI

1 hearing date and the briefing schedule as set forth below.

2 4. Accordingly, the parties respectfully request that, pursuant to their stipulation, the
3 Court reset the motion hearing date and briefing schedule as follows:

4 Plaintiffs' Opposition and Cross-Motion for Summary Judgment: 12/4/2009

5 Defendants' Reply and Opposition to Cross-Motion for Summary Judgment: 1/4/2010⁶

6 Plaintiffs' Reply to Opposition to Cross-Motion for Summary Judgment: 1/8/2010¹³

7 Hearing on Cross-Motions for Summary Judgment: 1/22/2010, at 9:00 a.m.

8 Dated: November 25, 2009

Respectfully submitted,

9 /s/ Robert B. Jobe

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ROBERT B. JOBE
11 Attorney for Plaintiffs

12 Dated: November 25, 2009

13 JOSEPH P. RUSSONIELLO
United States Attorney
14 TONY WEST
United States Attorney Assistant Attorney General
15 JOSHUA E. BRAUNSTEIN
Assistant Director

16 /s/ Jonathan D. Wasden

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JONATHAN D. WASDEN
18 Trial Attorney
United States Department of Justice Civil Division
Attorneys for Defendants

19
20 **[PROPOSED] ORDER**

21 Pursuant to stipulation, IT IS HEREBY ORDERED that the motions hearing date be
22 continued and the briefing schedule reset as follows:

23 Plaintiffs' Opposition and Cross-Motion for Summary Judgment: 12/4/2009

24 Defendants' Reply and Opposition to Cross-Motion for Summary Judgment: 1/1/2010

25 Plaintiffs' Reply to Opposition to Cross-Motion for Summary Judgment: 1/8/2010

26 Hearing on Cross-Motions for Summary Judgment: 1/22/2010, at 9:00 a.m.

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IT IS SO ORDERED.

Dated:



SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE