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10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 vs.

18 WILLIAM B. DENKERS and GLORY M.  
19 DENKERS,

20 Defendants.  
21

Case No.: C-09-3403-WHA

**STIPULATION AND ORDER RE:  
MOTION FOR SUMMARY JUDGMENT  
HEARING DATE AND MEDIATION  
DEADLINE DATE**

22 Plaintiff's motion for summary judgment was set for hearing on March 18, 2010. Per  
23 Local Rule 7-3, Defendants' opposition to the motion for summary judgment is therefore due on  
24 or before February 25, 2010.


25 Because of the extensive work involved in preparing an opposition to the motion  
for summary judgment and due to Defendant William Denkers' current and on-going treatment  
for lymphatic cancer, Defendants are unable to adequately prepare an opposition to the motion  
for summary judgment within the current time frames. Defendants believe that continuing the  
hearing on the motion for summary judgment for two weeks to Thursday, April 1, 2010 and  
thereby extending the time frame to oppose the motion for summary judgment by two weeks to

1 Thursday, March 11, 2010, will be sufficient to allow Defendants to adequately prepare the  
2 opposition to the motion for summary judgment.

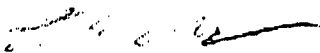
3 Furthermore, pursuant to a prior request by Plaintiff, the mediation deadline was  
4 extended to February 26, 2010 by this Court. The purpose of the extension was so that Plaintiff  
5 could obtain a ruling on its summary judgment motion before engaging in the mediation as  
6 Plaintiff did not believe a mediation would be productive until summary judgment was ruled  
7 upon. Because of the extension sought by Defendants on the hearing date for the motion for  
8 summary judgment, Plaintiff requests an extension of time for the parties to conduct a mediation  
9 until sometime after the date of the hearing on the motion for summary judgment.

10 For the foregoing reasons, the parties hereby stipulate to a continuance of the hearing  
11 date on the motion for summary judgment to Thursday, April 1, 2010, which will thereby extend  
12 the time for them to submit an opposition to the motion for summary judgment to Thursday,  
13 March 11, 2010. The parties further stipulate to a continuance of the mediation deadline to a  
14 date after the date of the hearing on the motion for summary judgment.

15 Dated this 22 day of February 2010.

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ARNOLD M. WOODS, S.B. #183638  
Attorney for DEFENDANTS

19 Dated this 22 day of February 2010.

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BLAKE D. STAMM, CTBN 301887  
Attorney for Plaintiff

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**ORDER**

Pursuant to the stipulation of the parties and for good cause shown, it is hereby ordered that the hearing on the motion for summary judgment is hereby continued to Thursday, April 1, 2010 at 8:00 a.m. Defendants' opposition to the motion for summary judgment is thereby due on or before Thursday, March 11, 2010. Further, it is hereby ordered the deadline for the parties to complete mediation is extended to April 15, 2010.

No additional continuances or deadline extensions will be granted. The extensions granted above will have no effect on any other deadlines set forth in the case management order.

**IT IS SO ORDERED.**

Dated: February 23, 2010.

