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10 Attorneys for Defendant CITY OF FREMONT

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 MARK OTTOVICH,  
 14 Plaintiff,  
 15 vs.  
 16 CITY OF FREMONT, et al.,  
 17 Defendants.

Case No.: CV09-4181 MMC

**STIPULATION TO CONTINUE DATE OF  
 DEFENDANT'S RESPONSE TO  
 PLAINTIFF'S SECOND AMENDED  
 COMPLAINT**

AND ORDER THEREON

18  
 19 IT IS HEREBY STIPULATED by the parties hereto that the date for Defendant CITY OF  
 20 FREMONT's response to plaintiff's SECONDED AMENDED COMPLAINT be extended 10  
 21 calendar days or until and including February 1, 2010. Good cause exists for this continuance in that  
 22 counsel for defendant City of Fremont, Gregory M. Fox, is in trial preparation and needs the  
 23 additional ten days to review the amended complaint and prepare a response.

24 Dated: January 13, 2010

BERTRAND, FOX & ELLIOT

25 By: \_\_\_\_\_ /s/

26 Gregory M. Fox  
 27 Arlene C. Helfrich  
 Attorneys for Defendant CITY OF FREMONT  
 28

1 Dated: January 13, 2010

2  
3 By: \_\_\_\_\_ /s/  
4 Craig H. Mar  
5 Attorney for Plaintiff MARK OTTOVICH

6 ATTORNEY ATTESTATION

7 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
8 conformed signature (“/s/”) within this E-filed document.

9 Dated: January 13, 2010

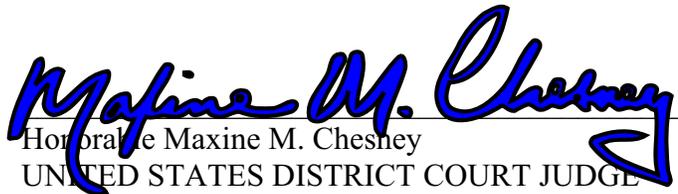
10 \_\_\_\_\_ /s/  
11 Gregory M. Fox

12 **ORDER**

13 Good cause appearing,

14 THE STIPULATION IS SO ORDERED.

15 Dated: \_ January 15 \_\_\_\_\_, 2010

16   
17 Honorable Maxine M. Chesney  
18 UNITED STATES DISTRICT COURT JUDGE