

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
 United States Attorney
 2 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 3 CLAIRE T. CORMIER (CSBN 154364)
 Assistant United States Attorney
 4 150 Almaden Blvd., Suite 900
 San Jose, California 95113
 5 Telephone: (408) 535-5082
 FAX: (408) 535-5081
 6 claire.cormier@usdoj.gov

7 Attorneys for Defendant
 Veterans Administration Palo Alto Health Care System

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12	MARK OTTOVICH, HARVEY)	No. C 09-4181 MMC
13	OTTOVICH, individuals,)	
14	Plaintiffs,)	STIPULATION AND PROPOSED
15	v.)	ORDER CONTINUING HEARING
16	CITY OF FREMONT, et al.,)	DATE FOR MOTION TO DISMISS
17	Defendants.)	

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 19 Pursuant to Civil Local Rules 6-1 and 7-7 and the Court’s Standing Orders for Civil
 20 Cases, the parties to this action, through their counsel of record, hereby stipulate and request
 21 that the hearing date for the motion to dismiss filed by defendants Veterans Administration Palo
 22 Alto Health Care System and United States of America (collectively “Federal Defendants”) be
 23 continued from August 20, 2010 to September 3, 2010.

24 Plaintiffs’ opposition to the Federal Defendants’ motion was due on July 30, 2010. On
 25 the afternoon of August 4, 2010, plaintiff’s counsel sent an e-mail to Federal Defendants’
 26 counsel apologizing for missing the deadline, stating that he had just gotten out of trial, and
 27 requesting additional time to file the opposition. Federal Defendants’ counsel agreed to allow
 28 more time if the hearing date was continued to Friday, September 3, 2010. Federal Defendants’

1 counsel is currently scheduled to be in court in the San Jose Division of this Court on Friday,
2 August 27, so a one week extension in the hearing date is not workable.

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4 DATED: August 6, 2010

Respectfully submitted,
JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Claire T. Cormier

CLAIRE T. CORMIER¹
Assistant United States Attorney

8 DATED: August 5, 2010

/s/ Craig H. Mar

CRAIG H. MAR
Attorney for Plaintiffs

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~~PROPOSED~~ ORDER

Upon stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the hearing date for the motion to dismiss filed by the Federal Defendants is continued to September 3, 2010 at 9:00 a.m. Any opposition to the motion is now due 21 days before the hearing, and the optional reply is due 14 days before the hearing.

IT IS SO ORDERED.

DATE: August 6, 2010


MAFINE M. CHESNEY
United States District Court Judge

¹ I, Claire T. Cormier, hereby attest that I have on file all holographic signatures for any signatures indicated by a “conformed” signature (/s/) within this e-filed document.