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 THE TOWN OF ATHERTON

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

11 JONATHAN B. BUCKHEIT,
 12 Plaintiff,
 13 v.
 14 TONY DENNIS; DEAN DEVLUGT;
 15 ANTHONY KOCKLER; THE TOWN OF
 16 ATHERTON; THE COUNTY OF SAN
 17 MATEO; and DOES 1-500, inclusive,
 Defendants.

CASE NO.: CV09-5000 JCS
**STIPULATION TO EXCEED 25 PAGE
 LIMIT FOR MEMORANDUM OF
 POINTS AND AUTHORITIES IN
 SUPPORT OF MOTIONS FOR
 SUMMARY JUDGMENT**

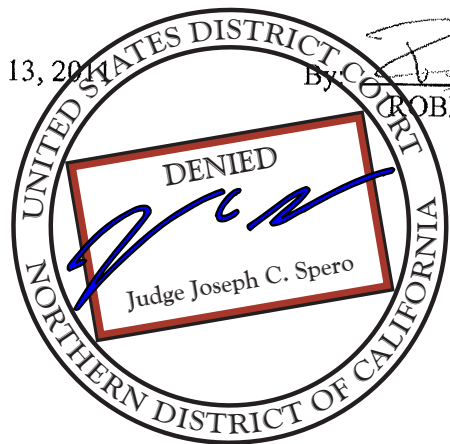
18 The parties to this litigation, by and through their respective counsel of record, do hereby stipulate to
 19 waive Local Rule 7-4's 25 page limitation with regard to memorandum of points and authorities to
 20 allow each party to file a brief no more than 35 pages in length.

/S/

22 DATED: December 13, 2011 By: _____
 23 PATRICK R. CO, ESQ.

24 DATED: December 13, 2011 By: 
 25 ROBERT CAREY, ESQ.

26 Dated: 12/14/11



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STIPULATION

3 **PROOF OF SERVICE - Civil**
4 [Code of Civ. Proc. §§ 1011, 1013, 1031a, 2015.5]

5 **METHOD OF SERVICE:**

- 6 By Personal Service By Mail By Overnight Delivery
 By Messenger Service By Facsimile By E-Mail/Electronic Transmission

7 1. I am a citizen of the United States and am employed in the County of San Mateo, State of
8 California. I am over the age of 18 years and not a party to the within action.

9 2. My place of employment is 1111 Bayhill Drive, Suite 300, San Bruno, California 94066.

10 3. On the date set forth below, I caused to be served a true and correct copy of the document
11 described as:

12 **STIPULATION TO EXCEED 25 PAGE LIMIT FOR MEMORANDUM OF POINTS AND
13 AUTHORITIES IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT**

14 4. I served the document on the persons below, as follows:

15 Robert E. Carey, Jr., Esq. 16 Jerry Y. Fong, Esq. 17 Carey & Carey 18 706 Cowper Street 19 P.O. Box 1040 20 Palo Alto, CA 94302-1040 21 Tel: (650) 328-5510 22 Fax: (650) 853-3632 23 email: rec@careyandcareylaw.com 24 email: jf@careyandcareylaw.com 25 <u>Attorneys for Plaintiff JONATHAN BUCKHEIT</u>	26 John Houston Scott, Esq. 27 Scott Law Firm 28 1388 Sutter Street, Suite 715 San Francisco, CA 94109 Tel: (415) 561-9600 Fax: (415) 561-9609 email: john@scottlawfirm.net <u>Attorneys for Plaintiff JONATHAN BUCKHEIT</u>
29 Joseph C. Howard, Jr., Esq. 30 Howard, Rome, Martin & Ridley, LLP 31 1775 Wodside Road, Suite 200 32 Redwood City, CA 94061-3436 33 Direct: (650) 980-1029 34 Tel: (650) 365-7715 ext. 219 35 Fax: (650) 364-5297 36 email: JHOWARD@hrmrlaw.com 37 <u>Attorneys for Defendants TONY DENNIS;</u> 38 <u>DEAN DeVLUGT; and ANTHONY</u> 39 <u>KOCKLER</u>	40 Brian J. Wong, Esq. 41 Office of the County Counsel 42 400 County Center, 6th Floor 43 Redwood City, CA 94063 44 Tel: (650) 363-1960 45 Fax: (650) 363-4034 46 email: bwong@co.sanmateo.ca.us 47 <u>Attorneys for COUNTY OF SAN MATEO</u>

48 5. The document was served by the following means (specify):

- 49 a. **BY PERSONAL SERVICE.** I personally delivered the documents to the
50 persons at the addresses listed in item 4. (1) For a party represented by an attorney, delivery

1 was made to the attorney or at the attorney's office by leaving the documents in an envelope
2 or package clearly labeled to identify the attorney being served with a receptionist or an
3 individual in charge of the office. (2) For a party, delivery was made to the party or by leaving
4 the documents at the party's residence with some person not less than 18 years of age between
5 the hours of eight in the morning and six in the evening.

6 b. **BY UNITED STATES MAIL.** I enclosed the documents in a sealed envelope
7 or package addressed to the persons at the addresses in item 4 and (specify one):

8 (1) deposited the sealed envelope with the United States Postal Services,
9 with the postage fully prepaid.

10 (2) placed the envelope for collection and mailing, following our ordinary
11 business practices. I am readily familiar with this business's practice for collecting
12 and processing correspondence for mailing. On the same day that correspondence is
13 placed for collection and mailing, it is deposited in the ordinary course of business
14 with the United States Postal Service, in a sealed envelope with postage fully prepaid.

15 I am resident or employed in the County where the mailing occurred. The envelope or package was
16 placed in the mail at San Bruno, California, County of San Mateo.

17 c. **BY OVERNIGHT DELIVERY.** I enclosed the documents in an envelope
18 or package provided by an overnight delivery carrier and addressed to the persons at the
19 addresses in item 4. I place the envelope or package for collection and overnight delivery at
20 an office or a regularly utilized drop box of the overnight delivery carrier.

21 d. **BY MESSENGER SERVICE.** I served the documents by placing them in
22 an envelope or package addressed to the persons at the addresses listed in item 4 and providing
23 them to a professional messenger service for service.

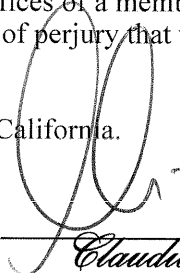
24 e. **BY FAX TRANSMISSION.** Based on an agreement of the parties to accept
25 service by fax transmission, I faxed the documents to the persons at the fax numbers listed in
26 item 4. No error was reported by the fax machine that I used. A copy of the record of the fax
27 transmission, which I printed out, is attached.

28 f. **BY E-MAIL OR ELECTRONIC TRANSMISSION.** Based on a court
order or an agreement of the parties to accept service by e-mail or electronic transmission, I
caused the documents to be sent to the persons at the email addresses listed in item 4. I did
not receive, within a reasonable time after the transmission, any electronic message or other
indication that the transmission was unsuccessful.

(State) I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct.

(Federal) I declare that I am employed in the offices of a member of the bar of this court at whose
direction this service was made. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 13, 2011, at San Bruno, California.



Claudia Gomez