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11 Attorneys for Defendant  
 12 COUNTY OF SAN MATEO

13 IN THE UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

16 JONATHAN V. BUCKHEIT, )  
 17 Plaintiff, )  
 18 v. )  
 19 TONY DENNIS, et al., )  
 20 Defendants. )

Case No. Civ 09-05000 JCS

STIPULATION TO CONTINUE  
 HEARING DATE ON DEFENDANT  
 COUNTY OF SAN MATEO'S  
 MOTION FOR ATTORNEY'S FEES  
 FROM SEPTEMBER 7, 2012, TO  
 NOVEMBER 16, 2012.

~~PROPOSED~~ ORDER

Date: September 7, 2012  
 Time: 9:30 a.m.  
 Place: Courtroom G, 15th Floor

Hon. Joseph C. Spero

1 WHEREAS defendant, County of San Mateo, filed a motion for attorney's  
2 fees pursuant to 42 U.S.C. § 1988 and a bill of costs on May 2, 2012.

3 WHEREAS plaintiff intends to oppose the motion for attorney's fees.

4 WHEREAS, the court previously continued the hearing on the motion for  
5 fees to September 7, 2012, following a motion by plaintiff to continue the date.

6 WHEREAS, plaintiff filed a notice of appeal on May 4, 2012 and has  
7 pending in the Ninth Circuit Court of Appeals an appeal from this court's order  
8 granting and denying summary judgment.

9 WHEREAS, the parties<sup>1</sup> are working with a Ninth Circuit mediator in an  
10 attempt to reach a global settlement of all outstanding issues between them,  
11 including the motion for attorneys' fees pending before this court.

12 And, WHEREAS the Ninth Circuit mediator will be setting the mediation  
13 for September 7, 2012 and will stay all proceedings in the Ninth Circuit pending  
14 the conclusion of mediation.

15 THEREFORE plaintiff and defendant, County of San Mateo, hereby  
16 stipulate, through their counsel of record, as follows, subject to the approval of the  
17 court:

18 1. The parties agree to continue the hearing date on defendant's motion  
19 for attorney's fees, costs, and sanctions from September 7, 2012 , to November 16,  
20 at 9:30 a.m..

21 2. The parties further agree that plaintiff may, if necessary, file his  
22 papers in opposition to the motion for attorneys's fees, costs, and sanctions on or  
23 before October 5, 2012;

24 //

25 //

26 \_\_\_\_\_  
27 <sup>1</sup> The City of Atherton defendants have withdrawn their motion for attorneys'  
28 fees following settlement with plaintiff.

