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11 Attorneys for Plaintiff JONATHAN B. BUCKHEIT

12
 13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

| | | |
|-------------------------------|---|--------------------------------------|
| 13 JONATHAN B. BUCKHEIT, |) | CASE NO. CV 09-5000 JCS |
| 14 Plaintiff, |) | STIPULATION FOR AN ORDER |
| 15 vs. |) | TO EXTEND TIME FOR PLAINTIFF |
| 16 TONY DENNIS, DEAN DEVLUGT, |) | TO FILE OPPOSITION TO DEF. TOWN |
| 17 THE TOWN OF ATHERTON, |) | OF ATHERTON'S MOTION TO |
| 18 THE COUNTY OF SAN MATEO, |) | <u>DISMISS & PROPOSED ORDER.</u> |
| 19 and DOES 1-500, inclusive, |) | |
| 20 Defendants. |) | Date: April 23, 2010 |
| |) | Time: 9:30 a.m. |
| |) | Mag. Judge: Hon. Joseph C. Spero |

21 Pursuant to Local Rules 6-2 (a) and 7-12, Plaintiff Jonathan Buckheit and Defendants
 22 Town of Atherton, Tony Dennis, Dean DeVlugt, and Anthony Kockler hereby stipulate to
 23 request that the Court order the extension of the deadline for the filing of Plaintiff's
 24 Opposition to these Defendants' joint Motion To Dismiss Plaintiff's First Amended
 25 Complaint (currently scheduled to be heard on April 23, 2010 at 9:30 a.m. before this Court),
 26 from February 19, 2010 to April 2, 2010, and, correspondingly, extend Defendants Atherton,
 27 Dennis, DeVlugt, and Kockler's deadline to file its reply from February 26, 2010 to April 9,
 28 2010. The extension of time would not affect the hearing date of the motion (April 23,
 2010).

1 It is so stipulated.

2
3 DATED: 2/18/10

4 /s/
JERRY Y. FONG, for Plaintiff
JONATHAN BUCKHEIT

5
6
7 DATED: 2/18/10

8 /s/
PATRICK R. CO, for Defendants TOWN OF
ATHERTON, TONY DENNIS, DEAN
DEVLUPT, AND ANTHONY KOCKLER

9
10 This stipulation is supported by the following declaration of Attorney Jerry Fong:

11 DECLARATION OF ATTORNEY JERRY FONG

12 I, Jerry Fong, declare:

13 1. I am an attorney licensed to practice before this Court and am one of the
14 attorneys for Plaintiff Jonathan Buckheit.

15 2. I make this declaration in compliance with Local Rule 6-2 (a).

16 3. Currently, Defendants Town of Atherton, Tony Dennis, Dean DeVlugt, and
17 Anthony Kockler's joint motion to dismiss Plaintiff's First Amended Complaint is scheduled
18 to be heard on April 23, 2010, at 9:30 a.m., before this Court.

19 4. The Court set February 19, 2010, as the deadline for the filing of Plaintiff's
20 Opposition and February 26, 2010, as the deadline for the filing of Defendants Town,
21 Dennis, DeVlugt, and Kockler's Reply.

22 5. At the same time, Defendant County of San Mateo also filed its motion to
23 dismiss Plaintiff's First Amended Complaint. That motion is also scheduled to be heard on
24 April 23, 2010, at 9:30 a.m. before this Court. However, unlike the motion by Defendants
25 Town, Dennis, DeVlugt, and Kockler, San Mateo County's motion has a different briefing
26 schedule. Under the local rules, Plaintiff's opposition to San Mateo County's motion is due
27 on April 2, 2010, and San Mateo's reply is due on April 9, 2010.

28 6. I have spoken with Alan Chang, one of the attorneys with Clapp, Moroney,

