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7 Attorneys for United States

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 DORA BAIREs, et al.,  
 12 Plaintiffs,  
 13 vs.  
 14 THE UNITED STATES OF AMERICA; et al.,  
 15 Defendants.

No.: C 09-05171 CRB

**STIPULATION AND [PROPOSED]  
 ORDER**

Honorable Charles R. Breyer

16  
 17 **STIPULATION AND [PROPOSED] ORDER**

18 The parties hereby jointly request that this Court enter the following Order regarding further  
 19 briefing of Federal Defendant's Motion To Dismiss Plaintiffs' Third Amended Complaint and  
 20 related papers:

21 The Federal Defendants' Motion to Dismiss Plaintiffs' Third Amended Complaint and the  
 22 Request for Judicial Notice filed herewith shall be deemed timely filed;

23 Plaintiffs shall have until and including November 4, 2011 to file a response to the motion;  
 24 Federal Defendants' optional reply brief, if any, shall be filed on or before November 25,  
 25 2011;

26  
 27 The hearing on Federal Defendants' motion shall be continued until December 2, 2011.  
 28

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1         These adjustments to the briefing and hearing schedule have been agreed to in order to allow  
 2 the parties sufficient time to adequately brief the issues for the Court's consideration.

3  
 4         **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:**

5         DATED: September 15, 2011.                     REED SMITH LLP

7                     By \_\_\_\_\_/s/\_\_\_\_\_  
 8                     Jayne E. Fleming  
 9                     James M. Wood  
 10                    Attorneys for Plaintiffs  
                    Dora Baires, individually, and on behalf of the  
                    estate of Juan Carlos Baires; and Teofilo Miranda

11         DATED: September 15, 2011                    MELINDA HAAG  
    United States Attorney

13                    By \_\_\_\_\_/s/\_\_\_\_\_  
 14                    ABRAHAM A. SIMMONS  
 15                    Assistant United States Attorney  
                    Attorneys for Defendant United States

16         DATED: September 15, 2011                    THERESA A. GOLDNER,  
    County Counsel

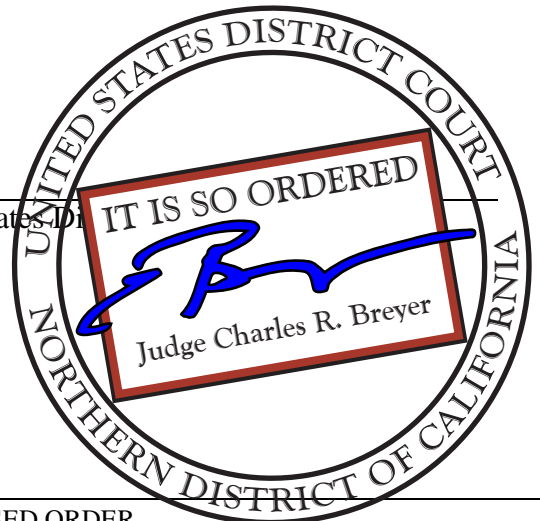
19                    By \_\_\_\_\_/s/\_\_\_\_\_  
 20                    Scott Fontes  
                    Deputy County Counsel

21                    **[PROPOSED] ORDER**

22         It is so **Ordered**.

23  
 24         DATED:   September 19  , 2011

25                    \_\_\_\_\_  
                    United States District



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