

E-Filed 9/2/10

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9 Counsel for Plaintiffs
 HERBERT MITCHELL and LAW
 10 OFFICES OF BRUCE E. KRELL, INC.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14	HERBERT MITCHELL and LAW) No. C-09-5306-RS
15	OFFICES OF BRUCE E. KRELL, INC.,)
16	Plaintiff,) STIPULATION TO MODIFY HEARING
) DATES AND DEADLINES
17	v.) Proposed ORDER
) [Jury Trial Demanded]
18	KAISER FOUNDATION HEALTH PLAN, ET)
19	AL.,)
	Defendants.)
20	_____) Honorable Richard Seeborg

21 **I. STIPULATION**

22 Plaintiffs HERBERT MITCHELL and LAW OFFICES OF BRUCE E. KRELL, INC., and
 23 Defendants KAISER FOUNDATION HEALTH PLAN, INC., GIBSON & SHARPS, PSC,
 24 THOMAS G. DUNN, and ROBERT L. KEISLER hereby agree and stipulate as follows:
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26 STIPULATION TO MODIFY HEARING DATES AND DEADLINES
~~Proposed~~ ORDER
 Mitchell, et al., v. Kaiser, et al.

P023.STIP

1 Counsel for the above defendants filed a motion to dismiss the first amended complaint.
2 Hearing on said motion is set for September 23, 2010, with Plaintiffs' opposition due September 2,
3 2010. There is also a case management set for September 9, 2010.

4 Plaintiffs' counsel has briefs due in two other cases, one in the Ninth Circuit Court of Appeals.
5 Thus, Plaintiffs requested the due date for their opposition to the motion to dismiss be moved, as well as
6 the hearing date on said motion be moved. Defendants have agreed.

7 Plaintiffs' counsel is not available on October 7, 2010.

8 Therefore, the parties hereto, through counsel of record, hereby agree as follows:

9 The hearing on Defendants' motion to dismiss the first amended complaint proceed on
10 September 30, 2010, or as soon thereafter as the Court may determine, with the opposition and reply
11 briefs due based on the new hearing date.

12 The case management conference take place on October 28, 2010, with an updated, joint case
13 management conference statement due seven days before said conference, October 21, 2010.

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15 Date: September 1, 2010

/s/ Russell A. Robinson
Law Office of Russell A. Robinson
By: Russell A. Robinson
Co-Counsel for Plaintiffs
HERBERT MITCHELL and LAW OFFICES OF
BRUCE E. KRELL, INC.

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19 Date: September 1, 2010

MARION'S INN LLP
KENNEDY P. RICHARDSON
MARK PALLEY
DAVID M. ROSENBERG-WOHL

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21
22 By: /s/David M. Rosenberg-Wohl
23 David M. Rosenberg-Wohl
24 Counsel for Defendants Kaiser Foundation
25 Health Plan, Inc., Gibson & Sharps, PSC,
26 Thomas G. Dunn and Robert L. Keisler

1 **II. ORDER**

2 Good cause appearing, it here hereby ordered as follows:

3 The hearing on Defendants' motion to dismiss the first amended complaint proceed on
4 October 7, 2010, at 1:30 p.m. with the opposition and reply briefs due based on the new
5 hearing date.

6 The case management conference take place on December 2, 2010, at 10:00 a.m.
7 with an updated, joint case management conference statement due seven days before said conference,
8 on November 24, 2010.

9 **IT IS SO ORDERED.**

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11 Date: 9/1/10



Hon. Richard Seeborg
United States District Court, Northern D. Of Cal.

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