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7
 8 UNITED STATE DISTRICT COURT
 9 NORTHERN DISTRICT

10 E.K. WADE
 11 Plaintiff,
 12 vs.
 13 CONTRA COSTA COMMUNITY COLLEGE
 DISTRICT – DIABLO VALLEY COLLEGE,
 14 CHRISTINE GARCIA, STACY SHEARS and
 DOES 1 through 5,
 15 Defendant.

) Case No.: C09-05959 MEJ
)
) **STIPULATION AND ORDER FOR**
) **EXTENSION OF TIME TO FILE**
) **RESPONSIVE PLEADING**

16
 17 **IT IS HEREBY STIPULATED** by and between plaintiff E.K. WADE and defendant
 18 CONTRA COSTA COMMUNITY COLLEGE DISTRICT, through its undersigned counsel, that
 19 defendant CONTRA COSTA COMMUNITY COLLEGE DISTRICT shall accept service of
 20 plaintiff's complaint effective January 8, 2010 and have an extension of time through and including
 21 February 22, 2010, within which to file a responsive pleading to Plaintiff's Complaint.

22 Plaintiff filed this action on December 21, 2009, pro per. On December 21, 2009, plaintiff
 23 mailed a copy of the complaint to each defendant. The mailing did not include a Notice of Lawsuit
 24 and Request for Waiver of Service of Summons. On December 21, 2009, plaintiff filed three proofs
 25 of service indicating personal service had completed as to each defendant on December 21, 2009,
 26 despite the fact that service was, in fact, by mail.

27 The parties have met and conferred regarding service of the complaint and counsel for the
 28 DISTRICT has obtained authority to accept service on behalf of the DISTRICT effective January 8,

1 2010, subject to agreement that the DISTRICT shall have forty-five days (until February 22, 2010) to
2 respond to the complaint from the date service is accepted.

3 An extension of time until February 22, 2010 for the DISTRICT to file a responsive pleading
4 to plaintiff's complaint will not interfere with any dates contained in this Court's scheduling order
5 issued December 21, 2009, as the Initial Case Management Conference is not scheduled until April 1,
6 2010.

7
8 Dated: January 10, 2010

Dated: January 11, 2010

9 BERTRAND, FOX & ELLIOT

10 *E.K. Wade*

Michael C. Wenzel

11 By: E.K. WADE
12 Plaintiff in Pro Per

By: Michael C. Wenzel,
Attorney for Defendant CONTRA
COSTA COMMUNITY COLLEGE
DISTRICT

13
14 Defendant shall serve this Order on
15 Plaintiff.
16 IT IS SO ORDERED:

ORDER

17
18 Dated: January 12, 2010

