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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

14 EDWARD T. FURNACE,
15 Plaintiff,
16 v.
17 K. NUCKLES, et al.,
18 Defendants.

Case No. C 09-6075 MMC (EDL)

**STIPULATION AND ~~PROPOSED~~
ORDER ENLARGING TIME TO FILE
STIPULATION/PROPOSED ORDER
RESOLVING PLAINTIFF'S PENDING
MOTION TO COMPEL COMPLIANCE
WITH SUBPOENA TO CALIFORNIA
DEPARTMENT OF CORRECTIONS
AND REHABILITATION**

Pursuant to L.R. 6-1(b), 6-2(a), and 7-12.

Magistrate: Hon. Elizabeth D. Laporte

Initial Complaint Filed: December 30, 2009
Operative Complaint Filed: July 10, 2010

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STIP. & [PROPOSED] ORDER
ENLARGING TIME TO FILE
NO. C 09-6075 MMC (EDL)

1 **STIPULATION TO ENLARGE TIME TO FILE STIPULATION/PROPOSED ORDER**

2 **RESOLVING PLAINTIFF’S PENDING MOTION TO COMPEL**

3 Plaintiff’s Motion to Compel Compliance with Subpoena to the California Department of
4 Corrections and Rehabilitation (“Motion”) is currently pending. Plaintiff’s and the California
5 Department of Corrections and Rehabilitation’s (“CDCR”) current deadline to file a stipulation or
6 proposed order resolving Plaintiff’s Motion is Friday, March 20, 2015. *See* Docket No. 268.

7 CDCR and Plaintiff have agreed to stipulate to change the deadline for the joint filing
8 from March 20, 2015 to March 27, 2015. The extra week will accommodate CDCR’s counsel’s
9 schedule, give Plaintiff’s counsel additional time to review and analyze CDCR’s February 23,
10 2015 production, and enable Plaintiff and CDCR to continue to meet and confer regarding
11 CDCR’s response to Plaintiff’s subpoena. (Declaration of Daniel H. Bookin (“Bookin Decl.”) ¶
12 2, filed concurrently herewith.) While there have previously been multiple time modifications in
13 connection with the Motion, this requested enlargement will have no apparent effect on the
14 schedule for this case. (*Id.* ¶ 3.)

15 Under Civil Local Rules 6-2 and 7-12, Plaintiff and CDCR submit this stipulation and
16 proposed order.

17 **IT IS SO STIPULATED.**

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Dated: March 17, 2015

Respectfully submitted

O'MELVENY & MYERS LLP

By: /s/ Daniel H. Bookin
Daniel H. Bookin

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Dated: March 17, 2015

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[PROPOSED] ORDER ENLARGING TIME TO FILE

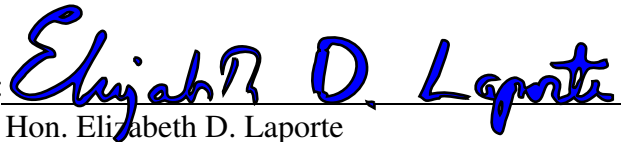
STIPULATION/PROPOSED ORDER RESOLVING PLAINTIFF'S MOTION

The Court, having considered the above Stipulation of Plaintiff and CDCR and good cause appearing therefor, hereby orders as follows:

Plaintiff and CDCR's deadline to file a stipulation or proposed order resolving Plaintiff's Motion is extended from March 20, 2015 to March 27, 2015.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 18, 2015

By: 
Hon. Elizabeth D. Laporte
District Court Magistrate Judge