Dudum et al v. Arntz et al Doc. 47

1 GAUTAM DUTTA, ESQ. (State Bar No. 199326) NEW AMERICA FOUNDATION 2 3435 Wilshire Blvd., Suite 2724 Los Angeles, CA 90010 3 Telephone: 213-480-0994 Facsimile: 213-480-0994 *E-Filed 3/22/10* 4 Email: dutta@newamerica.net 5 Attorney for amicus curiae New America Foundation 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 11 RON DUDUM, MATTHEW SHERIDAN, CASE NO. C 10-00504 RS ELIZABETH MURPHY, KATHERINE 12 WEBSTER, MARINA FRANCO and STIPULATION AND (PROPOSED) ORDER OF THE PARTIES AND NEW DENNIS FLYNN. 13 AMERICA FOUNDATION SHORTENING TIME ON NEW AMERICA Plaintiffs, FOUNDATION'S MOTION FOR LEAVE 14 TO FILE BRIEF AS AMICUS CURIAE VS. 15 JOHN ARNTZ, Director of Elections of HEARING DATE: April 22, 2010 16 the City and County of San Francisco; the HEARING TIME: 1:30 pm CITY & COUNTY OF SAN JUDGE: Hon. Richard Seeborg FRANCISCO, a municipal corporation; the 17 COURTROOM: 3 SAN FRANCISCO DEPARTMENT OF 18 ELECTIONS: the SAN FRANCISCO **ELECTIONS COMMISSION**; and DOES 19 1-20, 20 Defendants. 21 22 23 24 25 26 27 28 STIPULATION SHORTENING TIME

10-CV-00504-RS

STIPULATION SHORTENING TIME

Pursuant to Local Rules 6-1 and 6-2, the parties and proposed <u>amicus curiae</u> New America Foundation stipulate to the following:

- 1. Before this case was transferred to this Court, this Motion had been scheduled to be heard at the same time and date (April 2, 2010, 9 am) as Plaintiffs' Motion for Preliminary Injunction; and New America Foundation's Reply Brief in Further Support of its Motion for Leave to File a Brief as Amicus Curiae had been due on March 19, 2010. Following that transfer, that hearing date was vacated [Accompanying Declaration of Gautam Dutta ¶¶ 2-3].
- Before this case was transferred to this Court, the hearing on Plaintiff's Motion for Preliminary Injunction had been rescheduled on two occasions. The hearing had originally been noticed for March 12, 2010. After being continued to March 19, 2010, the hearing had been rescheduled for April 2, 2010. <u>Id.</u>
- 3. On March 19, 2010, this Court issued an order shortening the time prescribed for the hearing on Plaintiffs' Motion for Preliminary Injunction to April 1, 2010, 1:30 pm. <u>Id.</u> ¶ 4.
- 4. To ensure that both Plaintiffs' Motion and this Motion are heard at the same time and date, the time prescribed for the hearing on New America Foundation's Motion for Leave to File Brief as Amicus Curiae shall be shortened to April 1, 2010, 1:30 pm. In that regard, New America shall file its Reply Brief in Further Support of its Motion for Leave no later than March 19, 2010.
- 5. Plaintiffs' agreement to stipulate to this order shortening time is given on the condition that it will not interfere with the Court's ability to hear Plaintiffs' motion for preliminary injunction on April 1. Plaintiffs do not agree to having time

1	shortened in the event that the Court concludes that the addition of this matter to
2	the April 1 calendar will make it impossible for the Court to hear Plaintiffs' motion
3	on that date.
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3	DATED: March 19, 2010
4	NEW AMERICA FOUNDATION
5	TILW MWERICAT CONDATION
6	By: /s/ Gautam Dutta
7	GAUTAM DUTTA, ESQ.
8	Attorney for New America Foundation
9	
10	NIELSEN, MERKSAMER, PARRINELLO, MUELLER & NAYLOR, LLP
11	
12	By: /s/ Christopher E. Skinnell
13	CHRISTOPHER E. SKINNELL, ESQ.
14	Attorneys for Defendants
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16	OFFICE OF THE CITY ATTORNEY
17	
18 19	By: /s/ Jon Givner JON GIVNER, ESQ.
20	Attorneys for Defendants
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23	<u>ORDER</u>
24	PURSUANT TO STIPULATION, IT IS SO ORDERED. Dated: March 22, 2010
25	Dated: March <u>22</u> , 2010
26	HON. RICHARD SEEBORG
27	United States District Court Judge
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ATTESTATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order No. 45 of the Northern District of California, I hereby attest that I have obtained the consent from each of the other signatories to this document.