| 1 | NIELSEN, MERKSAMER, PARRINELLO, | | |
|----|--|-----------------------------|--|
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| | Email: jparrinello@nmgovlaw.com Email: <u>cskinnell@nmgovlaw.com</u> | | |
| 7 | _ | | |
| 8 | Attorneys for Plaintiffs RON DUDUM, MATTHEW | | |
| 9 | SHERIDAN, ELIZABETH MURPHY, | | |
| 10 | KATHERINE WEBSTER, MARINA | | |
| 11 | FRANCO and DENNIS FLYNN | | |
| 11 | IN THE UNITED STATES DISTRICT COURT | | |
| 12 | FOR THE NORTHERN DIST | FRICT OF CALIFORNIA | |
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| 15 | RON DUDUM, MATTHEW SHERIDAN, | Case No. C 10-00504 RS | |
| 16 | ELIZABETH MURPHY, KATHERINE WEBSTER, MARINA FRANCO and | STIPULATION OF THE | |
| | DENNIS FLYNN, |) PARTIES EXTENDING TIME | |
| 17 | | TO FILE INITIAL CASE | |
| 18 | Plaintiffs, | MANAGEMENT STATEMENT | |
| 19 | | TO APRIL 26, 2010 | |
| 20 | JOHN ARNTZ, Director of Elections of the City and County of San Francisco; the | JUDGE: Hon. Richard Seeborg | |
| 21 | CITY & COUNTY OF SAN FRANCISCO, a | COURTROOM: 3 | |
| | municipal corporation; the SAN | | |
| 22 | FRANCISCO DEPARTMENT OF |) | |
| 23 | ELECTIONS; the SAN FRANCISCO ELECTIONS COMMISSION; and DOES 1- |) | |
| 24 | 20, | | |
| 25 | Defendants. |) | |
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| | STIPULATION OF THE PARTIES EXTENDING TIME TO FILE INITIAL CASE MANAGEMENT STATEMENT | CASE NO. C 10-00504 RS | |
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| | | Dockets.Jus | |

STIPULATION EXTENDING TIME

WHEREAS, pursuant to court order an initial case management statement is currently scheduled to be submitted by the parties in this case on April 2, 2010; and

WHEREAS, a hearing on Plaintiffs' motion for preliminary injunction is currently pending, with a hearing date set for April 1, 2010, at 1:30 p.m.—the day before the case management statement is due; and

WHEREAS, the parties request that the initial due date of the initial CMC statement be postponed until after the hearing on the preliminary injunction motion, and believe that the initial CMC statement will be better focused, and more informative to the Court if filed at a later date that will permit consideration of the Court's comments at the hearing; and

WHEREAS, no previous extension of the time to file an initial case management statement has been sought or granted.

THEREFORE, Pursuant to Northern District of California Civil Local Rules 6-1 and 6-2, the parties stipulate as follows:

The time prescribed for submission of the initial case management
 statement is extended to April 26, 2010.

2. As required by Local Rule 6-2, this stipulation is supported by the
attached Declaration of Christopher E. Skinnell.

Dated: March 30, 2010

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NIELSEN, MERKSAMER, PARRINELLO, MUELLER & NAYLOR, LLP

By:<u>/s/Christopher E. Skinnell</u> Christopher E. Skinnell

Attorneys for Plaintiffs

| 1 | Dated: March 30, 2010 OFFICE OF THE CITY ATTORNEY |
|----|--|
| 2 | By: <u>/s/Andrew Shen</u> |
| 3 | Andrew Shen |
| 4 | Attorneys for Defendants |
| 5 | |
| 6 | |
| 7 | ATTESTATION PURSUANT TO GENERAL ORDER NO. 45 |
| 8 | Pursuant to General Order No. 45 of the Northern District of California, I |
| 9 | attest that concurrence in the filing of this document has been obtained from each |
| 10 | of the other signatories to this document. |
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| 12 | By: <u>/s/</u> Christopher E. Skinnell |
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| | STIPULATION OF THE PARTIES EXTENDING TIMECASE NO. C 10-00504 RSTO FILE INITIAL CASE MANAGEMENT STATEMENTPage 2 |
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| 2 PURSUANT TO STIPULATION, IT IS SO ORDERED. 3 Jated: March 31,, 2010 6 Hon. Richard Seeborg. 7 United States District Court Judge 8 Integration of the second se | | | |
| 2 PURSUANT TO STIPULATION, IT IS SO ORDERED. 3 Jated: March 31,, 2010 6 Hon. Richard Seeborg. 7 United States District Court Judge 8 Integration of the second se | 1 | <u>ORDER</u> | |
| 3 A 4 Juited: March 31,, 2010 5 Hon. Richard Seeborg 6 United States District Court Judge 7 Image: States District Court Judge 8 Image: States District Court Judge 9 Image: States District Court Judge 10 Image: States District Court Judge 11 Image: States District Court Judge 12 Image: States District Court Judge 13 Image: States District Court Judge 14 Image: States District Court Judge 15 Image: States District Court Judge 16 Image: States District Court Judge 17 Image: States District Court Judge 18 Image: States District Court Judge 19 Image: States District Court Judge 10 Image: States District Court Judge 11 Image: States District Court Judge 12 Image: States District Court Judge 13 Image: States District Court Judge 14 Image: States District Court Judge 15 Image: States District Court Judge 16 Image: State States District Court Judge | 2 | | |
| 4 Hon. Richard Seeborg 5 United States District Court Judge 6 | 3 | | |
| 5 United States District Court Judge 6 | 4 | Dated: <u>March 31</u> , 2010 Hon. Richard Seeborg | |
| 7 8 9 10 11 12 13 14 15 16 17 18 19 10 10 | 5 | United States District Court Judge | |
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DECLARATION OF CHRISTOPHER E. SKINNELL

² I, CHRISTOPHER E. SKINNELL, declare as follows:

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1. I am one of the attorneys for Plaintiffs in this action, which challenges the constitutionality of San Francisco's instant runoff voting system, used in municipal elections, on the ground that it violates plaintiffs' voting rights.

2. Pursuant to the Order of this Court reassigning this action to Judge Seeborg (Dkt. #40), the initial case management statement is currently scheduled to be filed in this action on April 2, 2010.

9 3. Plaintiffs' motion for preliminary injunction is currently pending
10 before the Court, and is scheduled for hearing on April 1, 2010—the day before the
11 case management statement is due.

4. The parties have conferred and are in agreement that the initial CMC statement will be better focused, and more informative to the Court, if filed at a later date that will permit consideration of the Court's comments at the hearing.

5. No previous extension of time to file the case management statement has been sought or ordered.

I declare under penalty of perjury under the laws of the State of California
that the foregoing is true and correct of my own personal knowledge except for
those matters stated on information and belief and, as to those matters, I believe
them to be true. If called as a witness, I could competently testify thereto.

Executed on March 30, 2010, at San Rafael, California.

By: <u>/s/</u> Christopher E. Skinnell

STIPULATION OF THE PARTIES EXTENDING TIME TO FILE INITIAL CASE MANAGEMENT STATEMENT