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3 WHEREAS, on October 1, 2010, plaintiffs filed a notice of appeal of the Court's
4 September 27, 2010, Order Denying Motion For Preliminary Injunction;

5 WHEREAS, on October 5, 2010, defendants filed a motion in the United States Court
6 of Appeals for the Ninth Circuit to dismiss plaintiffs' appeal as moot;

7 WHEREAS, by Order dated October 8, 2010 [Docket No. 142], this Court granted the
8 parties' request to continue the Case Management Conference scheduled for October 14,
9 2010, to October 28, 2010 at 10:00 a.m.

10 WHEREAS, on October 14, 2010, the United States Court of Appeals for the Ninth
11 Circuit denied without prejudice defendants' motion to dismiss plaintiffs' appeal as moot;

12 WHEREAS, in light of the pending appeal and in light of the schedules of counsel, the
13 parties require additional time to confer regarding the matters to be addressed in the Joint
14 Case Management Conference Statement required to be filed no later than seven days prior to
15 the Case Management Conference.

16 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
17 counsel for the parties that the Case Management Conference scheduled for October 28, 2010
18 be continued to December 9, 2010 at 10:00 a.m.

19 IT IS SO STIPULATED.
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Dated: October 21, 2010

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By: /s/ Jeremy L. Johnson
Jeremy L. Johnson (*Admitted Pro Hac Vice*)
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