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7 Attorneys for Defendant
 CITY AND COUNTY OF SAN FRANCISCO
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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
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12 CALIFORNIA TOW TRUCK
 ASSOCIATION,

13 Plaintiff,

14 vs.

15 CITY AND COUNTY OF SAN FRANCISCO
 16 and DOES 1-50,

17 Defendants.
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Case No. C10-03184 CRB

**STIPULATED APPLICATION TO CONTINUE
 HEARING ON PLAINTIFF'S MOTION FOR
 SUMMARY JUDGMENT AND DEFENDANT'S
 CROSS-MOTION FOR SUMMARY
 JUDGMENT; ORDER**

Hearing Date: February 8, 2013
 Time: 10:00 a.m.
 Judge/Place: The Honorable Charles R. Breyer
 Courtroom 6, 17th Floor

Date Action Filed: July 12, 2010
 Trial Date: None Set

1 **STIPULATED APPLICATION**

2 The parties jointly submit this ex parte application for a continuance of the hearing on
3 Plaintiff's Motion for Summary Judgment and Defendant's Cross-Motion for Summary Judgment,
4 which is presently scheduled for February 8, 2013. The purpose of this application is to accommodate
5 undersigned counsel for the City, who is presently operating under a tight deadline to prepare the brief
6 for the City and County of San Francisco in *Hollingsworth v. Perry*, United States Supreme Court
7 Case No. 12-144, involving the constitutionality of Proposition 8 (California's ban on marriage by
8 same-sex couples).

9 The parties respectfully request that the hearing on the cross-motions be continued to Friday,
10 February 22, 2013, or a subsequent date convenient to the Court.

11 IT IS SO STIPULATED:

12
13 Dated: February 5, 2013

DENNIS J. HERRERA
City Attorney
VINCE CHHABRIA
Deputy City Attorney

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16 By: s/Vince Chhabria
17 VINCE CHHABRIA
18 Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

19
20 Dated: February 5, 2013

LAW OFFICES OF BROOKS ELLISON

21 By: **s/Patrick Whalen
22 PATRICK J. WHALEN
23 Attorneys for Plaintiff
CALIFORNIA TOW TRUCK ASSOCIATION

24 **pursuant to GO 45, the electronic signatory has
25 obtained approval from this signatory.
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ORDER

The hearing for Plaintiff's Motion for Summary Judgment and Defendant's Cross-Motion for Summary Judgment is continued to Friday, February 22, 2013, at 10:00 a.m.

Dated: February 5, 2013

