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 19 IN THE UNITED STATES DISTRICT COURT
 20 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21
 22 **MALCOLM L. LANDRY,**

23 Plaintiff,

24 v.

25 **MIKE BERRY and BRENT JENKINS,**

26 Defendants.

Case No. CV10-04707 RS

**STIPULATION AND ~~Proposed~~ ORDER
 RE CROSS-MOTIONS FOR SUMMARY
 JUDGMENT**

Courtroom: 3, 17th Floor
 Judge: Hon. Richard Seeborg
 Trial Date: July 23, 2012
 Action Filed: October 19, 2010

1 The Court on June 16, 2011 entered its Stipulation and Order re Trial and Litigation Dates,
2 designating October 27, 2011 as the last date for dispositive motions to be heard. Thereafter,
3 plaintiff filed his Motion for Partial Summary Judgment as to Liability with a noticed hearing
4 date of August 4, 2011. Defendant has indicated to the Court and plaintiff's counsel his intention
5 to file his own summary judgment motion. The parties have now met and conferred regarding
6 a briefing schedule and hearing date for their respective motions (plaintiff's motion for partial
7 summary judgment and defendant's motion for summary judgment), and they have stipulated to
8 the following briefing and hearing schedule which they propose for the Court's approval:

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10 Plaintiff filed motion for partial summary judgment: June 27, 2011
11 Defendant files motion for summary judgment: July 29, 2011
12 Both parties file their respective opposition papers: August 15, 2011
13 Both parties file reply briefs: September 2, 2011
14 Hearing on cross-motions of the parties: September 15, 2011, 1:30 p.m.

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16 The parties further stipulate to vacate the current hearing date of August 4, 2011
17 on plaintiff's motion for partial summary judgment, and the dispositive motion hearing date
18 of October 27, 2011.

1 Dated: July 1, 2011

Respectfully submitted,
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/s/ David W. Hamilton
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9 Dated: July 1, 2011

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ORDER

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The Court hereby approves and orders the above briefing schedule and hearing date
16 for the parties' cross-motions for summary judgment, and vacates the hearing dates of
17 August 4 and October 27, 2011.

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IT IS SO ORDERED.

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Dated: 7/1/11



HON. RICHARD SEEBORG
Judge of the United States District Court

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