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Attorney for Plaintiffs,

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MARK ANTHONY DUNNE; )  
AUDREY GRACE FITZSIMMONS , )  
)  
Plaintiffs, )

vs. )

DEPARTMENT OF HOMELAND )  
SECURITY; ATTORNEY GENERAL )  
ERIC H. HOLDER, Jr.; IMMIGRATION )  
AND CUSTOMS ENFORCEMENT; )  
TIMOTHY S. AITKEN, )  
)  
Defendants. )

Case No. 3:10-cv05636-EMC

**STIPULATION TO CONTINUE THE  
STATUS CONFERENCE TO A LATER  
DATE AND ~~PROPOSED~~ ORDER**

Date: September 16, 2011

Time: 9:00 a.m.

Place: San Francisco Courthouse,  
Courtroom 11, 19<sup>th</sup> Floor

The Honorable Jeffery S. White

Plaintiffs, by and through his and her attorney of record, and Defendants, by and through their attorneys of record, stipulate to the following:

1. Pursuant to Fed. R. Civ. P. 16(b) and Civil L.R. 16-10, the above matter is scheduled for a Case Management Conference on July 15, 2011, at 1:30p.m., in Courtroom 11, 19<sup>th</sup> Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California.

2. Due to the vacation plan of the Plaintiffs' attorney, the parties hereby respectfully request this Court to order the Case Management Conference be moved from July 15, 2011 at 9A.M. to a date and time after August 4, 2011 that is convenient for the Court.

STIPULATION FOR STATUS COFERENCE  
Case No. C 10-5636

1           3. Further, the parties request the Court to allow Defendants' counsel to participate telephonically.  
2 Defendants' counsel resides in Washington, D.C., and telephonic participation would save the government  
3 money and time.  
4

5 Respectfully submitted,  
6 Dated: June 27, 2011

/s/James M. Byrne  
JAMES M. BYRNE

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13 Dated: June 27, 2011

/s/ Katherine E.M. Goettel  
KATHERINE E.M. GOETTEL  
14 Trial Attorney  
15 United States Department of Justice  
16 Civil Division  
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**ORDER**

Pursuant to stipulation, IT IS SO ORDERED. The case management conference is set for September 30, 2011. Defendants' counsel may participate by telephone.

Date:

  
EDWARD M. CHEN  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

**I hereby certify** that on June 28, 2011, I filed the foregoing document with the Clerk of the Court using CM/ECF. Also, I certify that this document is being served on all counsel of record.

Dated: June 28, 2011

/s/James M. Byrne  
JAMES M. BYRNE