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 6 SHERIFF LAURIE SMITH and
 7 COUNTY OF SANTA CLARA

8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10 (San Francisco)

11 TOM SCOCCA, MADISON SOCIETY,)
 12 INC., and THE CALGUNS)
 13 FOUNDATION, INC.,)

No. CV11-01318 EMC

13 Plaintiffs,

**STIPULATION AND [PROPOSED] ORDER
 TO CONTINUE HEARING ON
 DEFENDANTS' MOTION TO DISMISS**

14 v.

15 SHERIFF LAURIE SMITH (In her
 16 individual and official capacity.),
 17 COUNTY OF SANTA CLARA, and
 18 DOES 1 to 20,

Defendants.

19 On November 28, 2011, the United States Court of Appeals for the Ninth Circuit granted
 20 *en banc* review of *Nordyke v. King*, Case No. 07-15763. The *Nordyke* case involves Second
 21 Amendment issues that may be relevant to issues raised in the pending motion to dismiss in the
 22 above-captioned action. The parties would like additional time to evaluate the issues and make
 23 a determination about whether to seek a stay of this matter in light of the pending *en banc*
 24 review in *Nordyke*. Accordingly, the parties stipulate to continue the hearing on the pending
 25 motion to dismiss to January 6, 2012, at 1:30 p.m.

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