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13 HILDA SOLIS, U.S. SECRETARY OF LABOR;
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14 FOR THE VETERANS' EMPLOYMENT AND TRAINING
SERVICE; U.S. DEPARTMENT OF LABOR

15 UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 INTERNATIONAL LONGSHORE AND) Case No. CV 11-1939 SI
WAREHOUSE UNION,)
19)
Plaintiff,)
20)
v.) **JOINT STIPULATION TO**
21) **ENLARGE TIME FOR**
HILDA SOLIS, U.S. SECRETARY OF LABOR;) **RESPONSE AND REPLY TO**
22) **DEFENDANTS' MOTION TO**
RAYMOND M. JEFFERSON, ASSISTANT) **DISMISS, AND TO**
23) **CONTINUE HEARING FOR**
SECRETARY FOR THE VETERANS') **MOTION TO DISMISS**
24)
EMPLOYMENT AND TRAINING SERVICE;)
and U.S. DEPARTMENT OF LABOR,)
25)
Defendants.)

26 On June 24, 2011, Defendants filed a motion with this Court in which they moved to
27 dismiss this action. Defendants noticed a hearing date for this motion of July 29, 2011. Pursuant
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to Local Civil Rules 7-3(a) & (c), Plaintiff's response to this motion must be filed by July 8, 2011, and Defendants' reply by July 15, 2011. The parties hereby file a stipulation requesting (1) that the due date for Plaintiff to file a Response be changed to Tuesday, July 19, 2011, (2) that the due date for Defendants to file a Reply be changed to Tuesday, July 26, 2011, (3) that the hearing for the Motion be continued from July 29 to August 19, 2011, and (4) that the Case Management Conference be continued from July 29 to August 19, 2011. As required by Local Civil Rule 6-2 the parties declare the following:

(1) The reason for the requested enlargement of time is the unavailability of Plaintiff's counsel on the days leading up to the date on which the response is currently due and on hearing dates between July 29 and August 19, 2011. The attorney with primary responsibility to litigate this action at Leonard Carder, LLP, representing the Plaintiff, will be absent from work between July 25 and August 5, 2011, on a previously-arranged vacation and will therefore be unable to work or appear on this case in San Francisco between those dates. This attorney also has several court-ordered deadlines in other matters in the intervening weeks. These include a substantive motion briefing deadline of July 8 in *Colaruotolo v. Pacific Maritime Association*, BC415253, Los Angeles Super. Ct., oral argument on another motion in the same case on July 14, and a substantive motion briefing deadline of July 13, 2011, in *Dunakin v. UPS Supply Chain Solutions*, 11-CV-22332, S.D. Florida. The other attorney with responsibility for the instant action has a brief due on July 21, 2011, in a complex, multi-day arbitration (Matter of State Employees Trades Council - United and UCLA, re Karl Chan), and will be out of the country between July 30 and August 14, 2011, on a previously-arranged vacation. Plaintiff's ability to respond adequately to the motion to dismiss will be compromised without the contributions of these attorneys.

(2) There has been one short, previous jointly-stipulated time modification in this case, and it was not related to this Motion.

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1 (3) Under the current schedule of this case, any Reply by Defendants in support of their
2 motion would be due by July 15, 2011, which is before Plaintiff's Response would be due. The
3 parties therefore request that the due date of Defendants' Reply be changed to July 26, 2011.

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5 (4) The parties request that the hearing date for the Motion to Dismiss be continued from
6 July 29, 2011, to Friday, August 19, 2011.

7 (5) The parties request that the hearing date for the Case Management Conference be
8 continued from July 29, 2011, to Friday, August 19, 2011, so as to occur at the same time as the
9 hearing on the Motion to Dismiss.

10 Respectfully submitted,

11 DATED: July 6, 2011

LEONARD CARDER, LLP

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14 By: /s/Nicholas Wellington
Nicholas Wellington
Attorneys for Plaintiff
INTERNATIONAL LONGSHORE AND
WAREHOUSE UNION

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16
17 DATED: July 6, 2011

UNITED STATES DEPARTMENT OF JUSTICE

18
19
20 By: /s/Vikas Desai
VIKAS DESAI
Attorneys for Defendants
HILDA SOLIS, U.S. SECRETARY OF
LABOR; RAYMOND M. JEFFERSON,
ASSISTANT SECRETARY FOR THE
21 VETERANS' EMPLOYMENT AND
22 TRAINING SERVICE; U.S.
DEPARTMENT OF LABOR

23 MOTION CONTINUED TO 8/26/11 @ 9 A.M.

