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

21 United States of America
ex rel. Gary Siebert,
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 Plaintiff,
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 v.
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 Gene Security Network, Inc.
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 Defendant.
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Case No. 3:11-cv-01987-JST

**STIPULATION TO RESET DEADLINES
 FOR SUMMARY JUDGMENT BRIEFING**

1 The undersigned counsel of record of the respective parties in the above-entitled action
2 hereby stipulate pursuant to Civil Local Rule 6-1 as follows:

3 1. On July 2, 2014, Plaintiff filed a motion for summary judgment with an August 7,
4 2014 hearing date (Dkt. No. 83).

5 2. On July 3, 2014, by Clerk's Notice, the Court continued the hearing date of the
6 motion for summary judgment to September 4, 2014.

7 3. On July 9, 2014, the parties filed a joint stipulation extending the time for
8 Defendant to file an opposition to Plaintiffs' summary judgment motion until August 7, 2014 and
9 providing that Plaintiff would file his reply in support of his summary judgment motion by
10 August 21, 2014. The parties also agreed that any cross-motion for summary judgment by the
11 Defendant would be filed by August 7, 2014, with the Plaintiff's opposition filed by August 21,
12 2014 and any reply in support of the motion filed by August 28, 2014 (Dkt. No. 90).

13 4. On July 10, 2014, the Court entered the stipulation, except that it ordered that any
14 cross-motion for summary judgment by the Defendant should be filed by July 31, 2014, with the
15 Plaintiff's opposition filed by August 14, 2014 and any reply brief filed by August 21, 2014.
16 The court ordered that both motions would be heard on September 4, 2014 (Dkt. No. 91).

17 5. Defendant and Plaintiff agree Plaintiff will withdraw his pending motion for
18 summary judgment filed on July 2, 2014 *without prejudice*.

19 6. The Court's original scheduling order provided that dispositive motions must be
20 filed on or before September 26, 2014 (Dkt. No. 53). Defendant and Plaintiff agree each party
21 may file a summary judgment motion on or before September 26, 2014; that oppositions to any
22 summary judgment motions must be filed on or before October 14, 2014; and reply briefs in
23 support of each motion must be filed on or before October 21, 2014.

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1 7. By entering into this stipulation, the parties agree there is no prejudice to either
2 party and that the time modifications requested by this stipulation shall have no effect on the
3 schedule for this case.

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Dated: July 23, 2014

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GENE SECURITY NETWORK, INC.

Dated: July 23, 2014

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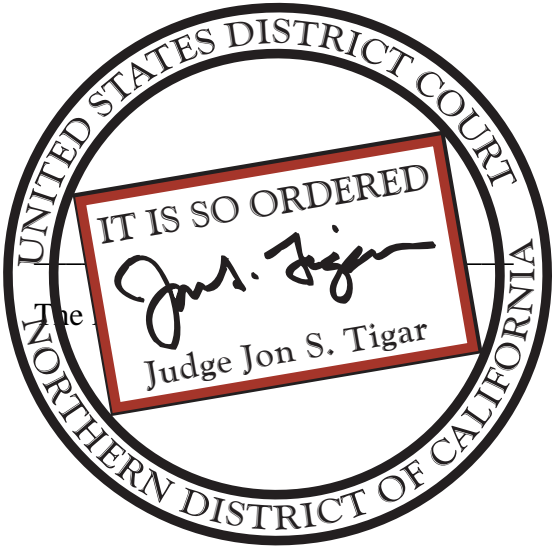
PROPOSED ORDER

Based on the parties' stipulation and for good cause shown, IT IS HEREBY ORDERED as follows:

The Court will GRANT the parties an amended briefing schedule regarding the submission of summary judgment papers as follows. The Plaintiff's Motion for Summary Judgment filed on July 2, 2014 is hereby withdrawn. Motions for summary judgment shall be filed by both parties not later than September 26, 2014. Opposition papers, if any, shall be filed not later than October 14, 2014. Reply papers, if any, shall be filed not later than October 21, 2014. The hearing on any summary judgment motions shall be held on November 13, 2014 at 2:00 p.m.

IT IS SO ORDERED.

Date: July 24, 2014



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ATTESTATION PURUSANT TO GENERAL ORDER NO. 45

Pursuant to General Order No. 45 of the Northern District of California, I attest that concurrence in the filing of this document has been obtained from the other signatory on this document.

Dated: July 23, 2014

FOLEY HOAG LLP

/S/ DANIEL N. MARX
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