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9 **IN THE UNITED STATES DISTRICT COURT**
 10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12
 13 JESSE BLOUNT III
 Plaintiff,
 14
 15 vs.
 16 MORGAN STANLEY SMITH BARNEY
 LLC., and JIM NIELSEN, as an individual,
 17
 18 Defendants.

) Case No. C11-02227-CRB (DMR)
)
) **STIPULATION REQUESTING**
) **ORDER TO CHANGE DISPOSITIVE**
) **MOTION HEARING DATE;**
) **ATTACHED DECLARATION OF**
) **PLAINTIFF'S COUNSEL IN**
) **SUPPORT THEREOF, AND**
) **[PROPOSED] ORDER**
)
) **Civ. L.R. 6-2**
)
) Hon. Judge Charles R. Breyer

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MORGAN STANLEY SMITH BARNEY LLC
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1
2 **THEREFORE, IT IS HEREBY STIPULATED**, by and between the parties
3 through their respective attorneys of record, that the following schedule be set:

- 4 1. The hearing date for the Motion for Summary Judgment will be
5 postponed and rescheduled to August 16, 2013, or as soon thereafter as
6 the Court may hear the Motion; and
7
8 2. The parties request that if the Court does not grant the Motion for
9 Summary Judgment in its entirety, the Court schedule a case
10 management conference ten days after the Court issues its order(s) on
11 the Motion for Summary Judgment, or at a date thereafter as the Court
12 selects, for the purpose of setting a trial date and pre-trial deadlines.
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15 Dated: June 20, 2013

SIEGEL & YEE

17 By: /s/Peter Haberfeld

18 Attorneys for Plaintiff
19 JESSE BLOUNT III

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21
22 Dated: June 20, 2013

MORGAN LEWIS & BOCKIUS LLP

23 By: /s/Daryl S. Landy

24 Attorneys for Defendants
25 MORGAN STANLEY SMITH BARNEY
26 LLC and JIM NIELSEN
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1 **ORDER**

2 IT IS HEREBY ORDERED THAT Good Cause appearing, the parties' Stipulation
3 regarding the scheduling of the hearing date of Defendants' Motion for Summary
4 Judgment and the case management conference is GRANTED as follows:
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- 6 1. The hearing date for Defendants' Motion for Summary Judgment is
- 7 August 16, 2013, or as soon thereafter as the Court may hear the Motion.
- 8 2. If the Court does not grant the Motion for Summary Judgment in its
- 9 entirety, it will schedule a case management conference ten days after the
- 10 Court issues its order(s) on the Motion for Summary Judgment, or at a
- 11 date thereafter as the Court selects, for the purpose of setting a trial date
- 12 and pre-trial deadlines.
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15 Dated: June 28, 2013

