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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 DAVID WASSERMAN,)	Case No. C 11-2772 EDL
)	
17 Plaintiff,)	
)	
18 v.)	STIPULATION AND PROPOSED ORDER
)	SETTING BRIEFING SCHEDULE AND
19 UNITED STATES OF AMERICA,)	CONTINUING INITIAL CASE
)	MANAGEMENT CONFERENCE
20 Defendant.)	AS MODIFIED
)	
21)	

22 The parties, having both previously consented to allow the Court to conduct all further proceedings
23 in this matter, have reached the following stipulation, all of which is subject to the Court’s approval.

24 Counsel for defendant has advised counsel for planitiff of defendant’s intention to file a motion to
 25 dismiss the complaint. This motion will be filed on or before November 30, 2011, a few days prior to
 26 the deadline to respond to the complaint because of leave long scheduled for defendant’s counsel. The
 27 parties have discussed a briefing schedule to accomodate their respective schedules and which they
 28 believe is most efficient for their respective clients.

1 Defendant will notice his motion for hearing on February 7, 2012 at 9:00 a.m. The parties have
2 agreed that Plaintiff will have until January 6, 2012 to file any opposition papers and Defendant will
3 have until January 20, 2012 to file any reply papers. The parties have further stipulated to request that
4 the Court continue the Initial Case Management Conference from December 20, 2011 to February 7,
5 2012 at 10:00 a.m., the same day as the motion hearing date.

6 DATED: November 16, 2011

Respectfully submitted,

8 MELINDA HAAG
United States Attorney

10 */s/ Michael T. Pyle*

11 _____
MICHAEL T. PYLE
Assistant United States Attorney
12 Counsel for Defendant United States of America

14 */s/ Michael Cohen*

15 _____
MICHAEL COHEN
Attorney at Law
16 Counsel for Plaintiff David Wasserman

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

18 Defendant's motion to dismiss is to be filed on or before November 30, 2011. Plaintiff's
19 opposition to the motion is due on or before January 6, 2012. Defendant's reply in support of the
20 motion is due on or before January 20, 2012. Defendant shall notice the motion for hearing on
21 February 7, 2012 at 9:00 a.m. The Court reserves the right to continue the hearing or decide the motion
22 without a hearing should the Court decide that it is appropriate to do so. The initial Case Management
23 Conference is continued from December 20, 2011 to February 7, 2012 at ^{9:00}~~10:00~~ a.m. The parties shall
24 file a joint Case Management Conference Statement on or before January 31, 2012.

26 Dated: November 23, 2011

27 
HON. ELIZABETH D. LAPOURTE
United States Magistrate Court Judge