

1 MELINDA HAAG (CABN 132612)  
 United States Attorney  
 2 JOANN M. SWANSON (CSBN 88143)  
 Chief, Civil Division  
 3 MELISSA K.B. SLADDEN (CSBN 203307)  
 Assistant United States Attorney  
 4  
 5 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-6962  
 6 FAX: (415) 436-6748  
 melissa.sladden@usdoj.gov  
 7

Attorneys for Defendants

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 PHU G. HUYNH,

13 Plaintiff,

14 v.

15 PATRICK DONAHOE, POSTMASTER  
 16 GENERAL UNITED STATES POSTAL  
 SERVICE,

17 Defendant.

No. C-11-3195 NC

18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

**STIPULATION AND [PROPOSED]  
 ORDER TO MODIFY BRIEFING  
 SCHEDULE REGARDING FEDERAL  
 DEFENDANT'S MOTION TO DISMISS**

[STIPULATION AND [PROPOSED] ORDER TO MODIFY BRIEFING SCHEDULE RELATED TO FED. DEF. MOTION TO DISMISS - C-11-3195 NC

1 The plaintiff, Phu Huynh, ("Plaintiff") *pro se* and the federal defendant Patrick Donahoe,  
2 Postmaster General United States Postal Service ("Federal Defendant") by and through its  
3 counsel stipulate to the following:

4 WHEREAS, on November 2, 2011, the Court issued an order modifying the briefing  
5 schedule regarding the defendant Patrick Donahoe, Postmaster General United States Postal  
6 Service ("Defendant") pending motion to dismiss. Pursuant to the modified schedule the  
7 Plaintiff's opposition is due January 25, 2012, and Defendant's reply brief is currently due on  
8 February 1, 2012 and the hearing is currently scheduled for February 8, 2012 at 9:00 a.m.;

9 WHEREAS, the parties have a mediation scheduled on January 11, 2012;

10 WHEREAS, the Assistant United States Attorney assigned to this case will be out of the  
11 country from January 27, 2012 through February 2, 2012, and does not believe that one day will  
12 be sufficient time to prepare its reply brief, and thus requests a brief one-week extension to file a  
13 Reply brief;

14 ACCORDINGLY, it is hereby agreed by the Parties, that the Federal Defendant shall  
15 have until February 8, 2012 to file a Reply brief in support of its motion to dismiss and the  
16 hearing on such motion is continued to February 15, 2012 at 9:00 a.m..

17 So Stipulated

18 DATED: January 11, 2012

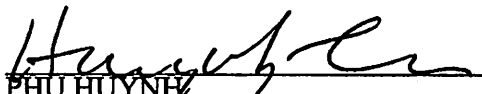
Respectfully submitted,  
MELINDA HAAG  
United States Attorney

S/ Melissa Sladden

21 MELISSA SLADDEN  
Assistant United States Attorney

23 DATED: January 11, 2012

PHU HUYNH  
Pro Se

26   
PHU HUYNH  
Pro Se

1 **[PROPOSED] ORDER**

2 Pursuant to the stipulation of the parties, the Federal Defendant shall have until February  
3 8, 2012 to file its Reply Brief in support of its motion to dismiss and the hearing on such motion  
4 is continued to February 15, 2012 at 9:00 a.m.

5 IT IS SO ORDERED

6  
7 Dated: 2/1 1/12/12

8   
9 NATHANAEL M. COUSINS  
10 United States Magistrate Judge