

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Laurence D. Haveson, State Bar No. 152631  
Brian Johnson, State Bar No. 235965  
THE CHANLER GROUP  
81 Throckmorton Avenue, Suite 203  
Mill Valley, CA 94941-1930  
Telephone: (415) 388-1128  
Facsimile: (415) 388-1135

Attorneys for Plaintiff  
RUSSELL BRIMER

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

RUSSELL BRIMER,  
  
Plaintiff,  
  
v.  
  
AMASH IMPORTS, INC.; MICHIGAN  
INDUSTRIAL TOOLS; and DOES 1-10,  
  
Defendants.

Case No. C 11-05391 EMC

**STIPULATION AND [PROPOSED] ORDER  
RE BRIEFING SCHEDULE FOR  
DEFENDANTS' MOTION TO DISMISS**

1 WHEREAS, on November 8, 2011, Defendants Amash Imports, Inc. and Michigan Industrial  
2 Tools (“Defendants”) filed and served a Motion to Dismiss for Lack of Personal Jurisdiction.  
3 Pursuant to Northern District Civil Local Rule 7-3(a), any opposition of Plaintiff Russell Brimer  
4 (“Plaintiff”) to the motion was due for filing and service not more than 14 days after the motion was  
5 served and filed;

6 WHEREAS, on November 17, 2011, this case was reassigned to the Honorable Edward M.  
7 Chen, United States District Judge;

8 WHEREAS, the Court informed the parties that all matters presently scheduled for hearing  
9 are vacated and should be re-noticed for hearing before the Honorable Edward M. Chen;

10 WHEREAS, on November 18, 2011, Defendants filed an Amended Notice of Motion to  
11 Dismiss for Lack of Personal Jurisdiction, stating in the Amended Notice that other than the change  
12 of hearing date, the moving papers remain unchanged; and

13 WHEREAS, Northern District Civil Local Rule 7-7(d) provides that unless otherwise ordered  
14 by the Court, the continuance of a hearing of a motion does not extend the time for filing and serving  
15 the opposing papers or reply papers, and it is uncertain whether Defendants’ Amended Notice of  
16 Motion filed after reassignment of this action to the Honorable Edward M. Chen amounts to a  
17 “continuance of the hearing” on Defendants’ Motion to Dismiss for Lack of Personal Jurisdiction,

18 IT IS HEREBY STIPULATED by and between the parties to this action through their  
19 designated counsel that:

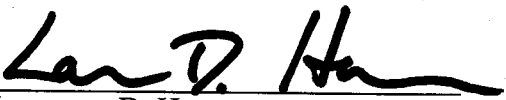
- 20 1. Plaintiff’s opposition to Defendants’ Motion to Dismiss for Lack of Personal  
21 Jurisdiction shall be filed and served not more than 14 days after Defendants’  
22 Amended Notice of Motion to Dismiss for Lack of Personal Jurisdiction was filed and  
23 served; and
  - 24 2. Defendants’ reply to Plaintiff’s opposition must be filed and served not more than 7  
25 days after the opposition is served and filed.
- 26  
27  
28

1 Dated: November 18, 2011

THE CHANLER GROUP

2

3

By: 

4

Laurence D. Haveson  
Attorneys for Plaintiff  
RUSSELL BRIMER

5

Dated: November 21, 2011

BUCHALTER NEMER

6

7

By: 

8

Michael B. Fisher  
Attorneys for Defendants  
MICHIGAN INDUSTRIAL TOOLS and  
AMASH IMPORTS, INC.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

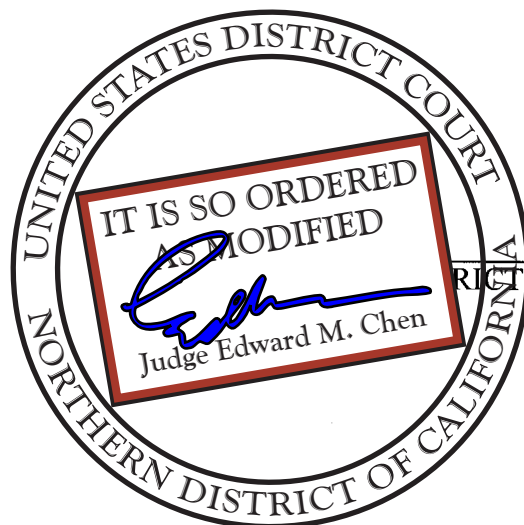
[PROPOSED] ORDER

Pursuant to the stipulation above, and good cause appearing therefor, IT IS ORDERED that:

1. Plaintiff's opposition to Defendants' Motion to Dismiss for Lack of Personal Jurisdiction shall be filed and served not more than 14 days after Defendants' Amended Notice of Motion to Dismiss for Lack of Personal Jurisdiction was filed and served; and (by 12/2/11)
2. Defendants' reply to Plaintiff's opposition must be filed and served not more than 7 days after the opposition is served and filed. (By 12/9/11)

IT IS SO ORDERED.

Dated: November 23, 2011



\_\_\_\_\_  
JUDGE