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10 (See Attached for Additional Counsel)

11 **UNITED STATES DISTRICT COURT**  
 12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 RETIREE SUPPORT GROUP OF  
 CONTRA COSTA COUNTY,  
 15  
 16 Plaintiff,  
 17 v.  
 18 CONTRA COSTA COUNTY,  
 19 Defendant.

No. CV 12-00944 (JSW)

**STIPULATION EXTENDING TIME FOR  
 FILING OF SECOND AMENDED  
 COMPLAINT, VOLUNTARY  
 PRODUCTION OF DOCUMENTS AND  
 RESETTING OF CASE MANAGEMENT  
 CONFERENCE; ~~PROPOSED~~ ORDER**

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N.D. Local Rule 6-1(a)

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Attorneys for Defendant  
CONTRA COSTA COUNTY

1 Plaintiff Retiree Association of Contra Costa County (“Plaintiff”) and Defendant Contra  
2 Costa County (“County” or “Defendant”) ("the Parties"), by and through their respective counsel  
3 of record, hereby stipulate and agree as follows:

4 1. On July 10, 2012, the Court issued its Order Granting Motion to Dismiss (Dkt 32),  
5 allowing Plaintiff leave to amend its complaint by August 10, 2012. Under the Order, Plaintiff  
6 may file a stipulation to extend the deadline if it needs “additional time to discover the ordinances  
7 and resolutions upon which its members’ claims are predicated.” *Id.* at 5.

8 2. On July 13, 2012, the Parties met and conferred regarding the Court's Order.  
9 Plaintiff informed the County it intends to file a Second Amended Complaint and that it requires  
10 additional time to obtain and review additional documents. The County stated it is not opposed to  
11 an extension of time. The Parties discussed possible voluntary production of documents by the  
12 County. The Parties agreed to participate in a second meet and confer session after Plaintiff  
13 provided the County with a list of requested documents.

14 3. On July 17, 2012, Plaintiff provided the County with its list of requested  
15 documents:

- 16 1. All Memoranda of Understanding and all resolutions ratifying the MOUs;
- 17 2. All resolutions and attachments to the resolutions relating to retiree health  
18 benefits;
- 19 3. All documents relating to the adoption, interpretation, or implementation of  
20 any resolution or MOU regarding retiree health benefits, including but not limited to job  
21 announcements and postings, employee handbooks, staff memoranda prepared for the  
22 Board, and cost analyses of retiree health care;
- 23 4. All board meeting minutes, agenda, and attachments relating to retiree  
24 health benefits;
- 25 5. All recordings of Board of Supervisor meetings.

26 4. On July 20, 2012, the Parties met and conferred regarding those requests. Plaintiff  
27 stated it was requesting documents dating back to January 1, 1970. The County agreed  
28 voluntarily to provide extant non-privileged documents responsive to Request Nos. 1, 2, 4 and 5  
back to January 1970. Relating to Request No. 3, the County also agrees to produce any other  
non-privileged, public documents that were provided to the Board of Supervisors accompanying

1 the passage of the resolutions relating to the MOUs or retiree health benefits. The Parties  
2 disagree as to whether any further production by the County with respect to Request No. 3 is  
3 required now. Plaintiff requests a status conference regarding this issue at the Court's earliest  
4 convenience and the County will not oppose holding such a conference.

5 5. The Parties wish to cooperate and have generally agreed to the following schedule  
6 to produce the agreed upon documents as referenced above, amend the complaint, file a  
7 responsive pleading and a subsequent briefing schedule:

- 8 a. The County will make reasonable good faith efforts to provide documents  
9 responsive to Request Nos. 1, 2, 4 and 5 within sixty (60) days or September  
10 27, 2012;
- 11 b. Plaintiff will file its amended complaint within sixty (60) days after completion  
12 of the County's production or November 30, 2012;
- 13 c. Because of the holidays and possible furloughs, the County will file its  
14 responsive pleading by January 9, 2013;
- 15 d. If the County files a motion to dismiss, Plaintiff's opposition brief will be filed  
16 twenty-five (25) days after the County files the motion; and
- 17 e. The County's reply brief will be filed eleven (11) days after the filing of  
18 Plaintiff's opposition brief.

19 The briefing schedule is identical to that previously ordered by the Court. (*See* Dkt. 22)

20 7. On July 27, 2012, the Court re-scheduled the Case Management Conference for  
21 October 12, 2012. (*See* Dkt. 34) Lead counsel for the County will be unable to attend on that  
22 date because he will be in Europe on a pre-planned family vacation and will not return until  
23 October 16, 2012.

24 8. The Parties believe there is good cause and request the Court to re-schedule the  
25 Case Management Conference to a date after October 16, 2012. (*See* Declaration of Raymond F.  
26 Lynch, attached hereto and incorporated herein.)

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