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9 Attorneys for Defendants

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

13 FAISA KAAID and JUBRAN NAGI )  
14 MUZAID, dba FRIENDLY MARKET, )  
15 Plaintiffs, )  
16 v. )  
17 UNITED STATES OF AMERICA and )  
18 DOUGLAS G. PERRY; In His Capacity As )  
19 The Administrative Review Officer Of The )  
20 Administrative Review Division Of The )  
21 United States Department Of Agriculture )  
Food and Nutrition Service )  
Defendants. )

No. 12-1507 EDL

STIPULATION AND ~~[PROPOSED]~~  
ORDER GRANTING EXTENSION OF  
TIME TO RESPOND TO PLAINTIFF'S  
COMPLAINT AND CONTINUING  
INITIAL CASE MANAGEMENT  
CONFERENCE

22 Defendants United States of America and Douglas G. Perry ("Defendants") and Plaintiffs  
23 Faisa Kaaid and Jubran Nagi Muzaid ("Plaintiffs"), by and through their respective counsel,  
24 stipulate to extend the time for Defendants to respond to Plaintiffs' Complaint  
25 pursuant to Civil Local Rule 6-1 of the Northern District of California, and further respectfully  
26 request that the Court continue the Initial Case Management Conference that has been scheduled  
27 in the above-captioned matter for July 10, 2012, at 10:00 a.m., until August 7, 2012, at 10:00

28 STIPULATION AND [PROPOSED] ORDER GRANTING EXTENSION OF TIME TO RESPOND TO  
COMPLAINT AND CONTINUING THE INITIAL CASE MANAGEMENT CONFERENCE  
12-1507 EDL 1

1 a.m. In accordance with Local Civil Rule 6-2(a), this stipulation is supported by the Declaration  
2 of Ann Marie Reding and a proposed order, which is filed herewith. The parties stipulate as  
3 follows:

4 1. On March 26, 2012, Plaintiffs filed their Complaint in this Court. On the same  
5 date, the Court scheduled an Initial Case Management Conference for July 10, 2012, at 10:00  
6 a.m. *See* Docket Nos. 1 and 3.

7 2. On May 3, 2012, the U.S. Attorney's Office received a copy of Plaintiffs'  
8 Complaint by certified mail. *See* Declaration of Ann Marie Reding ("Reding Decl."), ¶ 3.

9 3. Pursuant to 5 U.S.C. § 552(a)(4)(C), Defendants' response to the Complaint is  
10 presently due to be filed and served on July 2, 2012. *Id.* at ¶ 4.

11 4. On June 21, 2012, counsel for Defendant informed Plaintiffs' counsel that her  
12 agency contact will be on vacation the week of June 25, 2012, and that defense counsel will be  
13 out of state from June 29, 2012 through July 6, 2012. *See id.* at ¶ 5. Defense counsel further  
14 represented that she only received a copy of the administrative file in this action on June 20,  
15 2012. *Id.*

16 5. Based on the unavailability of defense counsel and her agency contact, as well as  
17 the fact that defense counsel only very recently obtained a copy of the administrative record in  
18 this matter, the parties have agreed to stipulate to an extension of time from July 2, 2012 to July  
19 13, 2012 for Defendants to file a responsive pleading in this matter. *See id.* at ¶ 6. The parties  
20 have further agreed to stipulate to a request to move the Initial Case Management Conference for  
21 thirty days to August 7, 2012. *Id.*

22 6. No prior extensions of time have been requested or granted. *See id.* at ¶ 7.

23 7. The only effect the requested time modification will have on this case is to delay  
24 the Initial Case Management Conference for thirty days. *See id.* at ¶ 8.

25 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiffs and Defendants  
26 that Defendants will have until July 13, 2012 to respond to Plaintiffs' Complaint and the parties  
27 agree to request that the Court vacate the July 10, 2012 Initial Case Management Conference in  
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1 this action and set the Initial Case Management Conference for August 7, 2012.

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3 DATED: July 21, 2012

Respectfully submitted,

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5 /s/ Earl D. Johnson  
EARL D. JOHNSON  
Attorneys for Plaintiff

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7 DATED: July 21, 2012

Respectfully submitted,

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MELINDA HAAG  
United States Attorney

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/s/ Ann Marie Reding  
ANN MARIE REDING  
Assistant United States Attorney

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~~PROPOSED~~ ORDER

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Plaintiffs and Defendants' stipulated request to extend the period of time for Defendant to  
14 file a responsive pleading and continue the Initial Case Management Conference is hereby  
15 **GRANTED**. Defendants will have until July 13, 2012 to respond to Plaintiffs' Complaint. The  
16 Initial Case Management Conference scheduled for July 10, 2012 at 10:00 a.m. is hereby  
17 vacated. The new Initial Case Management Conference is scheduled for August 7, 2012 at 10:00  
18 a.m. A joint case management statement shall be filed one week prior to the conference.

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Date: June 25, 2012

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