Hoa v. Cate et al Doc. 38

1	Kamala D. Harris				
2	Attorney General of California JAY M. GOLDMAN				
3	Supervising Deputy Attorney General MANEESH SHARMA				
4	Deputy Attorney General State Bar No. 280084				
5	455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004				
6	Telephone: (415) 703-5553 Fax: (415) 703-1234				
7	E-mail: Maneesh.Sharma@doj.ca.gov  Attorneys for Defendant Matthew Cate				
8	IN THE UNITED STATES DISTRICT COURT				
9	FOR THE NORTHERN DI	STRICT OF CALIFORNIA			
10	SAN FRANCISCO DIVISION				
11					
12					
13	PAUL HOA,	C 12-2078 EMC			
<ul><li>14</li><li>15</li></ul>	Plaintiff, v.	STIPULATION AND [PROPOSED] ORDER GRANTING CONTINUANCE ON HEARING OF DEFENDANT MATTHEW CATE'S MOTION TO			
16	MATTHEW CATE, et al.,	DISMISS UNDER RULE 12(B)6 AND FOR QUALIFIED IMMUNITY			
17 18	Defendants.	Date: November 2, 2012 Time: 1:30 p.m.			
19		Dept: 5 Judge: The Hon. Edward M. Chen Trial Date: None			
20		Action Filed: April 25, 2012			
21 22	At the request of Plaintiff's counsel, the pa	rties, Plaintiff Paul Hoa and Defendants			
23	Matthew Cate, T. Gregory Stagnitto, Bridge Transport, Stag Leasing Inc., and David F. Lopez, by				
24	and through their respective counsel, stipulate that the hearing on Defendant Matthew Cate's				
25	motion to dismiss Plaintiff's claims under Federal Rule of Civil Procedure 12(b)(6) and for				
26	qualified immunity, originally noticed for Friday, November 2, 2012, at 1:30 p.m., shall be				
27	continued to Friday, November 9, 2012, at 1:30 p.m., or as soon thereafter as the matter may be				
28	heard before the Honorable Edward M. Chen, United States District Judge, in Courtroom 5 (17th				
-	1				
	Stip. And [Proposed] (	Order Granting Continuance of Hearing (C 12-2078 EMC)			

California. Good cause exists for this request as Plaintiff's counsel is located in Southern California and to avoid to multiple appearances before this Court for two hearings that are calendared one week apart.  SO STIPULATED:  DATED: October 30, 2012  LAW OFFICE OF GENE H. SHIODA  S/ Gene H. Shioda GENE H. SHIODA JAMES A. KIM JASON Y. LIE Attorneys for Plaintiff Paul Hoa  DATED: October 30, 2012  GEARY, SHEA, O'DONNELL, GRATTAN, AND MITCHELL  John F. Geary JOHN F. GEARY ROBERT W. HENKELS Attorneys for Defendants David F. Lopez, T. Gregory Stagnitto, Bridge Transport, Stag Leasing Inc.  DATED: October 30, 2012  KAMALA D. HARRIS Attorneys for Defendants Attorney General of California JAY M. GOLDMAN Supervising Deputy Attorney General  S/ Mancesh Sharma MANEESH SHARMA Deputy Attorney General Attorneys for Defendant Matthew Cale  PURSUANT TO STIPULATION, IT IS SO ORDERED.  The motion to dismiss is reset for 11/9/12 at 1:00 p.m. The CMC is also reset from 11/9/12 at 9:00 p.m. A joint CMC statement shall be filed by 11/2/12. Dated: October 31, 2012  Stip. And [Proposal]	1	Floor) of the above-entitled court, located at the Federal Building, 450 Golden Gate Avenue,				
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Ludge Edward M. Chen		Stip. And [Proposed] C				
July July	I	Judge Edward M. Chen				

## **CERTIFICATE OF SERVICE**

Case Name:	P. Hoa v. M. Cate, et al	No.	C 12-2078 EMC				
I hereby certify that on October 30, 2012, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:							
STIPULATION AND [PROPOSED] ORDER GRANTING CONTINUANCE ON HEARING OF DEFENDANT MATTHEW CATE'S MOTION TO DISMISS UNDER RULE 12(B)6 AND FOR QUALIFIED IMMUNITY							
I certify that <b>all</b> participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.							
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on October 30, 2012, at San Francisco, California.							
	L. Santos		/s/ L. Santos				
	Declarant		Signature				
20647373.doc							