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9 Attorneys for Defendants

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

13 MICHAEL G. HAYES,

14 Plaintiff,

15 v.

16 UNITED STATES OF AMERICA,

17 Defendant.
18

No. 12-02964 RS

**DEFENDANTS' ADMINISTRATIVE
MOTION TO VACATE OR CONTINUE
INITIAL CASE MANAGEMENT
CONFERENCE AND [PROPOSED]
ORDER**

19 **STIPULATION**

20 Plaintiff Michael Hayes ("Plaintiff"), *pro se*, and defendant Patrick R. Donahoe,
21 Postmaster General of the United States ("Defendant"), by and through his counsel of record,
22 hereby stipulate and agree as follows:

23 1. Plaintiff filed the Complaint in this action on June 7, 2012. Docket No. 1.
24 Plaintiff declined to proceed before a United States Magistrate Judge and this matter was
25 reassigned to the Honorable Richard Seeborg. Docket No. 3, 7.

26 2. This Court scheduled a Case Management Conference for September 13, 2012.
27 Docket No. 9.
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DEFENDANT'S MOTION TO VACATE OR CONTINUE CMC
12-02964 RS

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3. Plaintiff filed a Motion to Continue Case Management Conference on August 3, 2012, and in response, this Court rescheduled the Case Management Conference for October 25, 2012. Docket No. 11, 12.

4. In response to Plaintiff's Complaint, Defendants have filed with this Court a Motion to Dismiss. Docket No. 13.

5. The hearing for the Motion to Dismiss is set for September 27, 2012.

6. Because counsel for the Defendant will be traveling on business during the weeks of October 22 and 29, 2012, Plaintiff and Defendant seek to continue the Case Management Conference to November 15, 2012, or a date thereafter at the Court's convenience. Case Management Statements will be filed by the parties by November 8, 2012.

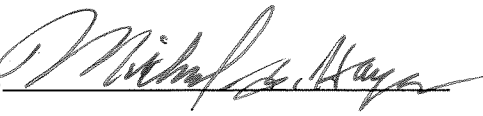
IT IS SO STIPULATED.

Dated: September 12, 2012

Respectfully Submitted,
MELINDA HAAG
United States Attorney

/s/ Rebecca A. Falk
REBECCA A. FALK
Assistant United States Attorney

Dated: September 10, 2012

By: 
MICHAEL HAYES
Plaintiff In Pro Per

~~PROPOSED~~ ORDER

Pursuant to the stipulation by the parties, and good cause having been shown, it is hereby ordered that the Case Management Conference scheduled for October 25, 2012 will be continued until November 15, 2012 at 10:00 a.m. Case Management Statements will be filed by November 8, 2012.

IT IS SO ORDERED.

Dated: 9/13/12



HONORABLE RICHARD SLEBORG
United States District Judge