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 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 JANE DOE)	
)	Case Number: C 12-03412 (EMC)
16 Plaintiff,)	
)	
17 vs.)	STIPULATED REQUEST FOR ORDER
)	CHANGING TIME ; ORDER
18 MARGARET A. HAMBURG, M.D.,)	
19 in her official capacity as Commissioner,)	Place: Courtroom 5, 17 th Floor
20 U.S. Food and Drug Administration)	450 Golden Gate Avenue
)	San Francisco, CA 94102
21 and)	Judge: Hon. Edward M. Chen
)	
22 KATHLEEN SEBELIUS,)	
23 in her official capacity as Secretary,)	
24 U.S. Dep't of Health and Human Services,)	
)	
25 Defendants.)	
)	

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1 On January 11, 2013, Plaintiff Jane Doe filed her First Amended Complaint (d/e 33),
2 pursuant to the Court's December 17, 2012 Order, (d/e 31). In her Amended Complaint, Doe
3 challenges the constitutionality of the Food and Drug Administration's regulation of the
4 manufacture and distribution of human cells, tissues, and cellular and tissue-based products as
5 applied to "uncompensated donations of semen by private individuals to other private
6 individuals." Amend. Compl. ¶ 11.

7 On February 25, 2013, defendants Margaret A. Hamburg, M.D., Commissioner of Food
8 and Drugs, and Kathleen Sebelius, Secretary of Health and Human Services (collectively
9 "Defendants"), filed their Motion to Dismiss the First Amended Complaint ("Motion") on the
10 grounds that the Court should decline jurisdiction and that Plaintiff has failed to state legally
11 cognizable claims. Pursuant to the parties' stipulated request and the Court's February 19, 2013
12 Order, (d/e 35), Plaintiff's Response is due April 8, 2013, Defendants' Reply is due May 13,
13 2013, and the hearing on Defendants' Motion is set for June 20, 2013.

14 Also pursuant to the Court's February 19, 2013 Order, (d/e 35), the parties must file a
15 joint Case Management Conference ("CMC") Statement by March 28, 2013, and the CMC is set
16 for April 4, 2013.

17 The Court's disposition of Defendants' pending Motion may dispose of the matter.
18 Accordingly, in the interests of efficiency, the parties believe that the CMC and the deadline for
19 filing the joint CMC Statement should be rescheduled to a date after the hearing on Defendant's
20 Motion.

21 Accordingly, pursuant to Civil Local Rule 6-2, Plaintiff and Defendants, by and through
22 their undersigned counsel, hereby stipulate and respectfully request an order changing time as
23 follows:

- 24 1. The parties shall file a joint CMC Statement by July 11, 2013; and
- 25 2. The Case Management Conference currently scheduled for April 4, 2013, is
26 rescheduled to July 18, 2013.

27 The Declaration of Sang H. Lee is submitted in support of this Stipulated Request.

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