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13
 14 **IN THE UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17)	Case No. C 13-00488 RS
18	N.L. and through her Guardian Ad Litem Y.)	
19	RUTHERFORD)	STIPULATION AND [PROPOSED]
20)	ORDER TO VACATE HEARING DATE
21	Plaintiff)	
22	v.)	
23	OAKLAND UNIFIED SCHOOL DISTRICT)	
24	Defendant)	
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1 SUBJECT TO THE APPROVAL OF THIS COURT, THE PARTIES HEREBY STIPULATE AS
2 FOLLOWS:

- 3 1. On July 31, 2013 the Clerk of the Court continued the hearing dates for the Motion to
4 Enforce Judgment (previously set for August 15, 2013) and the Motion for Judgment on
5 the Pleadings (previously set for August 29, 2013);
- 6 2. The parties used this time to continue settlement negotiations;
- 7 3. On or about September 20th 2013 the parties signed a settlement agreement document in
8 order to settle their matter entirely;
- 9 4. California law requires Defendant's Governing Board to approve or ratify the settlement
10 for the settlement agreement to be final;
- 11 5. In light of the pending settlement the parties agree to stipulate to vacate the September 26,
12 hearing on the Motion to Enforce Judgment and Motion for Judgment on the Pleadings;
- 13 6. The parties agree that the motions can be re-filed if the settlement is not approved or
14 ratified by the Governing Board;
- 15 7. The parties request and stipulate to the hearings scheduled for September to be taken off
16 calendar at this time.

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AGREED TO BY:

DATED: September 23, 2013

LEIGH LAW GROUP

/s/ Mandy G. Leigh
Attorneys for Plaintiff

DATED: September 23, 2013

/s/ David R. Mishook
David R. Mishook
Attorney for OUSD, Defendant

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

N.L. and through her Guardian Ad Litem Y.)	Case No. C 13-00488 RS
)	
RUTHERFORD)	PROPOSED ORDER TO VACATE
)	HEARING DATE
)	
Plaintiff)	
)	
v.)	
)	
OAKLAND UNIFIED SCHOOL DISTRICT)	
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Defendant)	
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GOOD CAUSE appearing from the above stipulation of the parties, IT IS SO ORDERED:
the date to hear the Motion for Judgment on the Pleadings and Motion to Enforce Judgment
(currently set to be heard September 26th 2013) will be vacated.

//

IT IS SO ORDERED.

DATED: 9/23/13


HONORABLE JUDGE R.SEEBORG
U.S. DISTRICT COURT

00319-00139/497701.1