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7 Attorneys for Federal Defendants

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11	CAPTAIN JOHN J. COTA,)	No. 13-00576 JSW
12)	
13	Plaintiff,)	STIPULATION AND PROPOSED
14	v.)	ORDER SETTING BRIEFING
15	UNITED STATES OF AMERICA ET AL.,)	SCHEDULE AND CONTINUING CASE
16	Defendants.)	MANAGEMENT CONFERENCE
)	AS MODIFIED
)	Hon. Jeffrey S. White

17 IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval of
18 the Court, as follows.

19 Federal Defendants will be filing a motion to dismiss this case on May 1, 2013 and will set it
 20 for hearing on June 28, 2013. The parties stipulate to an extended briefing schedule such that
 21 Plaintiff's opposition papers would be due June 4, 2013 and Federal Defendants' reply papers
 22 would be due June 12, 2013. The parties further stipulate to move the initial Case Management
 23 Conference from May 10, 2013 at 1:30 p.m. to the date of the hearing on the Federal Defendant's
 24 motion to dismiss or such other date as the Court deems appropriate. The parties believe it
 25 would be more efficient for the parties and the Court to continue the Case Management
 26 Conference until the hearing on the motion to dismiss or such other date as the Court deems
 27 appropriate. Plaintiff requests the additional time for the filing of its opposition papers (from
 28

1 May 15, 2013 to June 4, 2013) because of plaintiff's counsel's schedule and plaintiff's counsel's
2 prior agreements to continue the deadline for the Federal Defendants to respond to the
3 Complaint. Furthermore, at Plaintiff's counsel's request, counsel for the Federal Defendant has
4 outlined the grounds for the motion to dismiss and Plaintiff's counsel believes additional time
5 will be necessary to respond to the anticipated arguments. Federal Defendant's counsel requests
6 one extra day to file reply papers as counsel has a prior obligation on June 11, 2013.

7

8 Dated: April 29, 2013

Respectfully submitted,

9 MELINDA HAAG
10 United States Attorney

11 /s/ Michael T. Pyle

12 By: Michael T. Pyle
13 Assistant U.S. Attorney
Attorneys for Federal Defendants

14 SINUNU BRUNI LLP

15 /s/ John F. Meadows

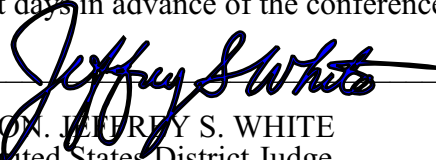
16 /s/ Leopoldo J. Chanco

17 By: JOHN F. MEADOWS
18 LEOPOLDO J. CHANCO
Attorneys for Plaintiff
19 CAPTAIN JOHN J. COTA

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

21 Plaintiff's opposition to the Federal Defendant's motion to dismiss shall be filed and
22 served no later than ~~June 4,~~ ^{May 20,} 2013. Federal Defendant's reply in support of its motion to dismiss
23 shall be filed and served no later than ~~June 12,~~ ^{May 28} 2013. The initial Case Management Conference
24 is continued until June 28, 2013. The parties shall submit a joint Case Management
25 Conference Statement at least five court days in advance of the conference.

26 DATED: May 2, 2013


27 HON. JEFFREY S. WHITE
28 United States District Judge