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 21 City of Hayward

22 UNITED STATES DISTRICT COURT
 23 NORTHERN DISTRICT OF CALIFORNIA

24 NET CONNECTION HAYWARD, LLC, a
 25 California limited liability company

26 Plaintiff,

27 v.

28 CITY OF HAYWARD

Defendants.

Case No. C13-01212 SC

**STIPULATION AND ~~PROPOSED~~ ORDER
 CONTINUING TRIAL DATE**

Hon. Samuel Conti, Courtroom 1

Trial Date: June 2, 2014

IT IS SO ORDERED AS MODIFIED

CITY OF HAYWARD,
 Counterclaimant,

v.

NET CONNECTION HAYWARD, LLC, a
 California limited liability company,
 Counterdefendant.

1 Plaintiff-counterdefendant Net Connection Hayward, LLC (“Plaintiff” or “Net
2 Connection”) and Defendant-counterclaimant the City of Hayward (“Defendant” or the “City”)
3 hereby submit this stipulation and proposed order to continue the currently scheduled trial date in
4 this matter from June 2, 2014 to August 4, 2014. The continuance is requested based on the
5 changed conditions that have arisen as a consequence of the Court’s ruling on the request for
6 preliminary injunction in this matter (Doc. 54) and the related matter of *I Biz, LLC v. City of*
7 *Hayward*, case no. 13-1537 (Doc. 44). Since those orders were issued the City has ceased to
8 enforce the moratorium embodied in Ordinance 13-05 and adopted Ordinance 13-17 in its place.
9 In light of the enactment of the new ordinance, Net Connection has filed a first amended
10 complaint alleging new causes of action relating to Ordinance 13-17 (Doc. 61.) The City has
11 filed an answer and counterclaim seeking to injunctive and declaratory relief relating to
12 Ordinance 13-17(Doc. 62.) Additionally, counsel for Net Connection is unavailable during the
13 week of June 9, 2014 and from June 29 – July 7, 2014. Counsel for the City is unavailable on
14 May 2, 2014. Based on the foregoing, the Parties hereby stipulate as follows:

- 15 1. The trial date of June 2, 2014 is continued to August 4, 2014.
- 16 2. Pre-trial Conference is continued to July11, 2014.
- 17 3. Last day to hear motions is continued to June 6, 2014.

19 DATED: March 18, 2014

HUNT, JEPPSON & GRIFFIN, LLP.

21 By: /s/ Tory E. Griffin (as authorized 3/18/14)
22 TORY E. GRIFFIN
23 Attorney for Plaintiff-counterdefendant
24 Net Connection Hayward, LLC

25 DATED: March 18, 2014

MICHAEL S. LAWSON, CITY ATTORNEY

27 By: s/ Michael G. Vigilia
28 MICHAEL G. VIGILIA
Attorney for Defendant-counterclaimant
City of Hayward

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~~[PROPOSED]~~ ORDER

Good cause appearing before this Court and upon stipulation of the parties, it is hereby ORDERED that:

1. The trial date of June 2, 2014 is continued to August 4, 2014.
2. Pre-trial Conference is continued to ~~July 11, 2014~~. Friday, August 1, 2014 at 10:00 a.m.
3. Last day to hear motions is continued to June 6, 2014.

DATED: March 19, 2014

