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8 Attorneys for Plaintiffs and Petitioners
 9 LONGS DRUG STORES CALIFORNIA, L.L.C. and
 ARMSTRONG DEVELOPMENT PROPERTIES,
 10 INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 LONGS DRUG STORES CALIFORNIA,
 L.L.C., a California limited liability
 15 company and ARMSTRONG
 DEVELOPMENT PROPERTIES, INC., a
 16 Pennsylvania corporation,

17 Plaintiffs and Petitioners,

18 v.

19 CITY OF SEBASTOPOL, CITY
 COUNCIL OF THE CITY OF
 20 SEBASTOPOL, and GLENN
 SCHAINBLATT, in his official capacity as
 21 Building Official of the City of Sebastopol,,

22 Defendants and Respondents.

Case No. C 13-01383 EMC

**STIPULATION SEEKING EXTENSION OF
 TIME FOR HEARING OF PLAINTIFFS'
 MOTION TO DISMISS AND MOTION FOR
 ABSTENTION;
 [PROPOSED] ORDER**

Ctrm: 5
 Judge: Hon. Edward M. Chen

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Longs
2 Drug Stores California, L.L.C. and Armstrong Development Properties, Inc. (collectively,
3 "Plaintiffs"), and Defendants City of Sebastopol, City Council of the City of Sebastopol,
4 and in his official capacity Building Official Glenn Schainblatt (collectively,
5 "Defendants") as follows:

6 WHEREAS, irresolvable scheduling conflicts make it impractical for the
7 Defendants' counsel to meet the briefing schedule and attend the hearing on Defendants'
8 Motion to Dismiss and Motion for Abstention, currently scheduled for hearing on June 20,
9 2013 at 1:30 p.m.; and

10 WHEREAS, there have been no previous time modifications in this case, whether
11 by stipulation or Court order; and

12 WHEREAS, this case is set for a Case Management Conference on June 27;

13 WHEREAS, because no discovery schedule or trial dates have yet been set for this
14 case, the rescheduling of the hearing on Defendants' Motions for Dismissal and Abstention
15 would not affect any other dates.

16 NOW, THEREFORE, pursuant to Local Civil Rule 6-2, the parties jointly stipulate,
17 by and through counsel, as follows:

- 18 1. The hearing on Defendants' Motion to Dismiss and Motion for Abstention
19 shall be rescheduled to June 27, 2013 at 1:30 p.m., to correspond with the
20 date of the Case Management Conference already scheduled in this case, or
21 as soon thereafter as the Court may hear these motions.
- 22 2. Plaintiffs' Opposition to Defendants' Motions for Dismissal and Abstention
23 shall be filed on or before May 29, 2013.
- 24 3. Defendants' Reply shall be filed on or before June 5, 2013.

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1 Dated: May 21, 2013

MEYERS, NAVE, RIBACK, SILVER &
WILSON

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By: /s/ Edward Grutzmacher

EDWARD GRUTZMACHER
Attorneys for Defendants

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6 Dated: May 21, 2013

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

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By: /s/ Michael J. Betz

MICHAEL J. BETZ
Attorneys for Plaintiffs

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11 I hereby attest that I have on file all holographic signatures corresponding to any
12 signatures indicated by a conformed signature (/S/) within this e-filed document.

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14 Dated: May 21, 2013

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

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By: /s/ Michael J. Betz

MICHAEL J. BETZ
Attorneys for Plaintiffs

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[PROPOSED] ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED THAT:

1. The hearing on Defendants' Motion to Dismiss and Motion for Abstention shall be rescheduled to June 27, 2013 at 1:30 p.m.
2. Plaintiffs' Opposition to Defendants' motions for Dismissal and Abstention shall be filed on or before May 29, 2013.
3. Defendants' Reply shall be filed on or before June 5, 2013.
4. Joint CMC statement shall be filed by June 20, 2013.

Date: 5/22/13

Hon. Edward M. Chen
United States
for the Northern

