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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

17 COMPASSION OVER KILLING et al.,)
 18 Plaintiffs,)
 19 v.)
 20 FOOD AND DRUG ADMINISTRATION et)
 21 al.,)
 22 Defendants.)

CASE NO. 4:13-CV-01385-VC

**JOINT STIPULATION REGARDING
 SCHEDULING FOR FILING
 DISPOSITIVE BRIEFING**

23
 24 All parties in the above-captioned matter have entered an agreement regarding the
 25 schedule for the filing of dispositive briefing in this case. The parties hereby respectfully file
 26 this stipulated request for the Court to enter the agreed-to briefing schedule, as described and
 27 explained below.

28 JOINT SCHEDULING STIPULATION
 4:13-cv-01385-VC

1 1. On February 6, 2014, the parties filed a stipulation proposing that the Court order a
2 schedule for the filing of dispositive briefing in this case, including a six-brief cross-motion for
3 summary judgment schedule.

4 2. On the same day, the Court filed an Order adopting the parties' proposed briefing
5 schedule.

6 3. On April 17, 2014, this case was reassigned to the Honorable Vince Chhabria for all
7 further proceedings. Pursuant to the Order Reassigning Case, all briefing deadlines remain in
8 place following reassignment.

9 4. The Judge's standing order requires that, in the event of cross-motions for
10 summary judgment, the parties must file a total of four briefs sequentially, rather than three pairs
11 of simultaneous briefs. The standing order further states that the parties may submit a stipulation
12 and proposed order setting a briefing schedule for cross-motions for summary judgment.

13 5. The parties have met and conferred concerning the case reassignment and the Judge's
14 standing order and agreed that given the case reassignment, the previously ordered briefing
15 schedule in this case should be stricken, and the following schedule should be adopted:

16 a. On or before July 23, 2014, plaintiffs shall file a motion for summary
17 judgment.

18 b. On or before August 27, 2014, defendants shall file an opening/opposition
19 brief. If defendants do not move for dismissal pursuant to Federal Rule of
20 Civil Procedure 12(b), defendants shall also answer plaintiff's complaint on or
21 before August 27, 2014.

22 c. On or before September 26, 2014, plaintiffs shall file their opposition/reply
23 brief.

24 d. On or before October 27, 2014, defendants shall file their reply brief in
25 support of their motion for summary judgment.

26 e. On or before November 14, 2014, the parties shall file a joint appendix,
27 containing the portions of the administrative record relied on by either party.

1 DATED: May 1, 2014

Respectfully submitted,

2
3 By: /s/ Lauren H. Bell
LAUREN HASH BELL
Trial Attorney, Consumer Protection Branch
4 On behalf of Defendants

5 By: /s/ Jordan Ray
Jordan Ray
6 BINGHAM MCCUTCHEN LLP
Jordan Ray
7 Jennifer S. Rosen
8 On behalf of Plaintiffs

1 **[PROPOSED] ORDER**

2 The terms and conditions of this Joint Stipulation Regarding Scheduling for Filing
3 Dispositive Briefing are hereby adopted as an ORDER of this Court. The following schedule is
4 entered in this case:

- 5 a. On or before July 23, 2014, plaintiffs shall file a motion for summary
6 judgment.
- 7 b. On or before August 27, 2014, defendants shall file an opening/opposition
8 brief. If defendants do not move for dismissal pursuant to Federal Rule of
9 Civil Procedure 12(b), defendants shall also answer plaintiff's complaint on or
10 before August 4, 2014.
- 11 c. On or before September 26, 2014, plaintiffs shall file their opposition/reply
12 brief.
- 13 d. On or before October 27, 2014, defendants shall file their reply brief in support
14 of their motion for summary judgment.
- 15 e. On or before November 14, 2014, the parties shall file a joint appendix,
16 containing the portions of the administrative record relied on by either party.

17
18 DATED: April 2, 2014

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20 HON. VINCE CHHABRIA
21 United States District Judge
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