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14 Attorneys for Defendant

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 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

18 IBIZ, LLC, a California Limited Liability)
 19 Company,)

20 Plaintiff,)

21 vs.)

22 CITY OF HAYWARD, a California)
 municipal corporation,)

23 Defendant)

) Case No: CV 13 1537 SC

) **STIPULATION AND [PROPOSED]**
) **ORDER TO EXTEND TIME TO FILE**
) **REPLY BRIEF**

) **Hrg. Date:** June 21, 2013

) **Hrg. Time:** 10:00 a.m.

) **Location:** Crtrm. 1, 17th Floor

) **Judge:** Samuel Conti

26 COME NOW PLAINTIFF IBIZ AND DEFENDANT CITY AND STIPULATE AS FOLLOWS:
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1 On May 7, 2013, Plaintiff IBIZ, LLC (“IBiz”) filed its motion for preliminary injunction.
2 On May 21, 2013, the City filed its papers in Opposition to the Motion. Pursuant to a prior
3 stipulated extension request and order, IBiz’ reply papers are due tomorrow, June 7, 2013.

4 Due to a combination of emergency litigation that has occupied lead drafting counsel for
5 Plaintiff along with additional obligations he has with respect to the care of his wife, following her
6 recent major shoulder surgery, counsel requests one final extension of time to complete the filing of
7 Plaintiff’s Reply papers in connection with the pending preliminary injunction motion. For these
8 reasons, Plaintiff’s counsel asked Counsel for the City if he would agree to one final 5 day
9 extension of the due date for Plaintiff’s Reply papers, subject to the approval of the Court. Counsel
10 for the City graciously granted this request.

11 The requested extended filing date would be Wednesday, June 12th. The hearing on
12 Plaintiff’s motion is scheduled for June 21st.

13 **STIPULATION**

14 The parties, by and through their counsel of record, HEREBY STIPULATE, subject to the
15 approval of the Court, to extend the time IBIZ has to file its reply papers in support of its motion
16 for preliminary injunction, presently due on June 7, 2013, to June 12, 2013.

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20 DATED: June 6, 2013

John H. Weston
G. Randall Garrou
Jerome Mooney
WESTON, GARROU & MOONEY

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23 By: /s/ G. Randall Garrou
24 G. Randall Garrou
25 Attorneys for Plaintiff IBIZ LLC
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1 DATED: June 6, 2013

MICHAEL S. LAWSON, CITY ATTORNEY

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By: /s/ Michael G. Vigilia
MICHAEL G. VIGILIA
Assistant City Attorney, City of Hayward
Attorney for Defendant, City of Hayward

ORDER

Based on the stipulation of the parties, and good cause appearing therefore, the Court hereby extends the deadline for IBiz to file its reply papers in support of its Motion for Preliminary Injunction, until June 12, 2013

IT IS SO ORDERED.

DATED: 06/06/2013

