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18 IN THE UNITED STATES DISTRICT COURT
19 THE NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 PUBLIC.RESOURCE.ORG., a California non-) Case No. 13-cv-02789 WHO
22 profit organization,)
23 Plaintiff,) **STIPULATION AND ORDER**
24 v.) **RESCHEDULING INITIAL CASE**
25 UNITED STATES INTERNAL REVENUE) **MANAGEMENT CONFERENCE AND**
26 SERVICE,) **HEARING AND BRIEFING RE**
27 Defendant.) **DEFENDANT’S MOTION TO DISMISS**

28 The parties, through their respective counsel of record, submit the following stipulation and request that the Court issue an order as requested:

1 WHEREAS, on September 3, 2013, defendant United States Internal Revenue Service
2 (“IRS”) filed a Motion to Dismiss (“the Motion”);

3 WHEREAS, the Motion is scheduled for hearing on October 9, 2013, but this date (and
4 other Wednesdays in October) conflict with previously scheduled teaching commitments at the
5 University of California, Berkeley for lead counsel for plaintiff;

6 WHEREAS, the Initial Case Management Conference in this matter is currently set for
7 September 17, 2013, and counsel for the parties believe that the conference will be more
8 productive if it is held after the Court has ruled on the IRS’s Motion;

9 WHEREAS, in light of these scheduling conflicts, counsel for the parties have agreed to
10 continue the motion hearing to October 23, 2013, and stipulated to a different briefing schedule;

11 NOW THEREFORE, IT IS HEREBY STIPULATED THAT:

- 12 1. The October 9, 2013, hearing on defendant IRS’s Motion to Dismiss is continued to
- 13 October, 23, 2013, at 2:00 p.m. in Courtroom 2 of the above-captioned Court.
- 14 2. Opposition papers currently due on September 17, 2013, to be due on September 30,
- 15 2013.
- 16 3. Reply papers currently due on September 24, 2013, to be due on October 7, 2013.
- 17 4. The Initial Case Management Conference scheduled September 17, 2013, is vacated
- 18 and will be rescheduled by the Court to a date after the Court has ruled on the IRS’s
- 19 Motion to Dismiss.

20 IT IS SO STIPULATED

21 DATED this 10th day of September, 2013.

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23 MELINDA HAAG
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26 By: /s/ Yonatan Gelblum
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By: /s/ Thomas R. Burke
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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Thomas R. Burke, hereby attest that concurrences in the filing of this document have been obtained from each of the signatories.

/s/ Thomas R. Burke
Thomas R. Burke

ORDER

Pursuant to the parties' stipulation, and good cause appearing, the foregoing is approved, with the modification that the Initial Case Management Conference shall be continued until November 19, 2013. IT IS SO ORDERED.

Date: September 11, 2013


United States District Court Judge