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8 Attorneys for Plaintiff
9 NANCY McERLAIN

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 NANCY McERLAIN,

14 Plaintiff,

15 v.

16 PARK PLAZA TOWERS OWNERS
17 ASSOCIATION, DAVID BEHLING,
18 BEHLING PROPERTY MANAGEMENT
19 CORPORATION, and DOES 1 through 30,
20 Inclusive,

21 Defendants.

RELATED ACTIONS

CASE NO. C-13-03232 MMC

CASE NO. C-13-04384 MMC

**JOINT STIPULATION AND [PROPOSED]
ORDER RE: CONTINUING HEARING
AND BRIEFING SCHEDULE ON
DEFENDANTS' ANTI-SLAPP MOTIONS**

22 Pursuant to L.R. 6-2 and the Honorable Maxine Chesney's Standing Order, Plaintiffs Nancy
23 McErlain and Patrick McErlain (collectively "Plaintiffs") and all Defendants in the above-captioned
24 cases submit this Joint Stipulation and Proposed Order to continue the hearing date currently set for
25 December 6, 2013 at 9:00 a.m., in courtroom 7 before the Honorable Maxine Chesney on
26 Defendants' Special Anti-SLAPP Motion to Strike filed in the case of Patrick McErlain v. Park
27 Plaza Towers Owners Association, et al., Case No. C-13-03232 MMC. Plaintiff Patrick McErlain's
28 counsel, Robert Howie, is unavailable as he is expected to be in trial in San Jose this entire week of
December 2nd-6th and continuing through mid-December. Furthermore, on December 2, 2013,
Defendants filed a Special Anti-SLAPP Motion to Strike in the related case of Nancy McErlain v.
Park Plaza Towers Owners Association, et al., Case No. C-13-04384, which is noticed to be heard

1 on January 3, 2014, a date on which Judge Chesney is unavailable.

2 The parties herein, by and through their counsel, are in agreement to have both Motions
3 heard on **January 24, 2014**, at 9:00 a.m., in courtroom 7, before the Honorable Maxine Chesney.
4 Counsel herein are also in agreement on the proposed briefing schedule relating to Defendants'
5 Special Anti-SLAPP Motion to Strike filed in the case of Nancy McErlain v. Park Plaza Towers
6 Owners Association, et al., Case No. C-13-04384:

7 Plaintiff's opposition papers shall be filed and served on **January 7, 2014**.

8 Defendants' reply papers shall be filed and served on **January 14, 2014**.

9
10 Dated: December 3, 2013

PRATT & ASSOCIATES

11
12 By: /s/ Sharon Glenn Pratt

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Attorneys for Plaintiff NANCY McERLAIN

20 Dated: December 3, 2013

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21 By: /s/ Robert Howie, Jr.

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Attorney for Plaintiff
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Dated: December 3, 2013

MICHAEL B. ALLEN LAW GROUP, INC.

By: /s/ Grant H. Baker

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Attorney for all Defendants

[PROPOSED] ORDER

Good cause appearing therefor, **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: December 4, 2013


Hon. Maxine M. Chesney
United States District Judge

ATTESTATION

In compliance with Federal Rule 5, Local Rule 5-1(i)(3), the filer of this document hereby attests that the concurrence to the filing of this document has been obtained from the other signatories thereto.

/s/ Sharon Glenn Pratt
SHARON GLENN PRATT

CERTIFICATE OF SERVICE

I certify that a copy of this document was served electronically on December 3, 2013 on counsel of record in compliance with Federal Rule 5, Local Rule 5-6, by use of the Court's ECF system.

/s/ Sharon Glenn Pratt
SHARON GLENN PRATT