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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

18 PEDRO VIVEROS JIMENEZ
 Plaintiff,
 19 v.
 20 TIMOTHY AITKEN ET AL.
 21 Defendants.

Case No. C 13-05443 CRB
 DHS No. 075-092-194

**STIPULATION AND ORDER ON
 BRIEFING AND HEARING SCHEDULE
 FOR PLAINTIFF'S PETITION FOR
 WRIT OF HABEAS CORPUS**

1 Plaintiff Pedro Viveros Jimenez and the Federal Defendants, by and through their undersigned
2 counsel, hereby stipulate as follows.

3 WHEREAS, on the afternoon of November 22, 2013, Plaintiff filed a petition for writ of habeas
4 corpus, temporary restraining order (“TRO”) and preliminary injunction to be heard on an ex parte basis.

5 WHEREAS, the court ordered a response to the TRO to be filed on Monday, November 25, 2013
6 with a hearing on Tuesday, November 26, 2013. *See* Dkt No. 4.

7 WHEREAS, the parties have discussed the matter and agree to the following briefing schedule
8 on the petition *in lieu of* an ex parte proceeding on the temporary restraining order and preliminary
9 injunction as set forth in Dkt No. 4:
10

11 The briefing date of November 25, 2013 and hearing date of November 26, 2013 are
12 taken off-calendar.

13 The government shall file a response to the petition by **Monday, December 9, 2013.**

14 Plaintiff shall file a reply by **Friday, December 13, 2013.**

15 The court shall hold a hearing on either **December 17, 2013** or **December 18, 2013.**

16
17 **SO STIPULATED.**

18 Respectfully submitted,

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21 DATED: November 25, 2013

_____/S/_____
ZACHARY M. NIGHTINGALE
Attorney for Plaintiff

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24 MELINDA L. HAAG
United States Attorney

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26 DATED: November 25, 2013

_____/S/_____
VICTORIA R. CARRADERO
Assistant United States Attorney
Attorneys for Federal Defendants

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

2 The briefing date of November 25, 2013 and hearing date of November 26, 2013 are taken off
3 calendar. The government shall file a response to the petition by Monday, December 9, 2013. Plaintiff
4 shall file a reply by Friday, December 13, 2013. The court shall hold a hearing on December 18, 2013 at
5 2:00 p.m..

6
7
8 DATED: November 25, 2013

