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 JEANNETTE K. BURMEISTER
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION
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11 JEANNETTE K. BURMEISTER,
 12 Plaintiff,

13 v.
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15 UNITED STATES DEPARTMENT OF
 HEALTH AND HUMAN SERVICES, AND
 16 ITS COMPONENT, THE NATIONAL
 INSTITUTES OF HEALTH,
 17 Defendants.

Case No. 14-CV-00133-VC

Date Complaint Filed: January 9, 2014

**STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING THE PARTIES'
 BRIEFING SCHEDULE OF
 CROSS MOTIONS FOR SUMMARY
 JUDGMENT AS MODIFIED**

**Hearing Date for Summary Judgment
 Motion: August 28, 2014
 Time: 10:00 a.m.
 Courtroom: 4 - 17th Floor**

Before the Honorable Vince Chhabria

STIPULATION

Pursuant to Civil L.R. 6-1 and § 17 of the Standing Order for Civil Cases Before Judge Vince Chhabria, Plaintiff Jeannette K. Burmeister (“Plaintiff”) and Defendants the United States Department of Health and Human Services, and its component, The National Institutes of Health, (the “Federal Defendants”) (collectively “the Parties”), by and through their respective counsel, have conferred and submit this Stipulation regarding the following briefing schedule for the cross-motions for summary judgment:

WHEREAS, on **June 16, 2014**, the Federal Defendants filed with the Court their opening brief in support of their Motion for Summary Judgment;

WHEREAS, Plaintiff will oppose that motion and intends to file her own Cross-Motion for Summary Judgment;

WHEREAS, the Parties have conferred on a hearing date for both motions and a briefing schedule consistent with § 17 of the Standing Order for Civil Cases Before Judge Vince Chhabria;

WHEREAS, Plaintiff will file her opening/opposition brief in support of her Cross-Motion for Summary Judgment, and in response to the Federal Defendants’ opening brief in support of their Motion for Summary Judgment on or before **July 10, 2014**;

WHEREAS, the Federal Defendants will file their opposition/reply brief in response to Plaintiff’s Cross-Motion for Summary Judgment, and in support of their own Motion for Summary Judgment on or before **July 31, 2014**;

WHEREAS, Plaintiff will file her reply brief in support of her Cross-Motion for Summary Judgment on or before **August 14, 2014**;

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THEREFORE, IT IS HEREBY STIPULATED AND AGREED between the Parties as follows:

The hearing date on both motions will be **August 28, 2014** at 10:00 a.m. **in courtroom 10, 19th Floor, 450 Golden Gate Ave., San Francisco;**

Plaintiff's opening/opposition brief will be due on or before **July 10, 2014;**

The Federal Defendants' opposition/reply brief will be due on or before **July 31, 2014;** and

Plaintiff's reply brief will be due on or before **August 14, 2014,** as required by § 17 of the Standing Order for Civil Cases Before Judge Vince Chhabria, no later than 14 days before the hearing date.

IT IS SO STIPULATED.

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Dated: **June 18, 2014**

BAKER & MCKENZIE LLP
Bruce H. Jackson
Edward D. Burmeister

By: /s/ Bruce H. Jackson
Bruce H. Jackson
Edward D. Burmeister
Attorneys for Plaintiff
JEANNETTE K. BURMEISTER

Dated: **June 18, 2014**

MELINDA HAAG
United States Attorney

By: /s/ Abraham A. Simmons
Abraham A. Simmons
Attorneys for the Federal Defendants
United States Department of Health and
Human Services, and
The National Institutes of Health

ATTESTATION

I, Bruce H. Jackson, attest that I am one of the attorneys for Plaintiff Jeannette K. Burmeister. As the ECF user and filer of this document, I attest that concurrence in the filing of this document has been obtained from its signatories.

Dated: **June 18, 2014**

/s/ Bruce H. Jackson
Bruce H. Jackson

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Jeannette K. Burmeister v. United States Department Of Health
And Human Services, And Its Component, The National Institutes Of Health
United States District Court for the Northern District of California-San Francisco Division
Case No. Case No. 14-CV-00133-VC

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, the following is ORDERED:

The briefing schedule for the Parties' Cross-Motions for Summary Judgment is as follows:
The hearing date on both motions will be **August 28, 2014** at 10:00 a.m. **in courtroom 10, 19th Floor, 450 Golden Gate Ave., San Francisco;**
Plaintiff Jeannette Burmeister's opening/opposition brief is due on or before **July 10, 2014;**
The Federal Defendants' opposition/reply brief is due on or before **July 31, 2014;** and
Plaintiff Burmeister's reply brief is due on or before **August 14, 2014.**

IT IS SO ORDERED.

Dated: June 23, 2014



The Honorable Vince Chhabria
United States District Judge