

1 Derek F. Foran (CA SBN 224569)
 2 DForan@mofo.com
 3 MORRISON & FOERSTER LLP
 4 425 Market Street
 5 San Francisco, California 94105-2482
 6 Telephone: 415.268.7000
 7 Facsimile: 415.268.7522

8 Attorney for Plaintiff NATIONAL
 9 ABORTION FEDERATION (NAF)

10 Brian R. Chavez-Ochoa (CA Bar 190289)
 11 brianr@chavezocholaw.com
 12 CHAVEZ-OCHOA LAW OFFICES, INC.
 13 4 Jean Street, Suite 4
 14 Valley Springs, CA 95252
 15 Tel: (209) 772-3013; Fax: (209) 772-3090

16 Attorney for Defendants, THE CENTER
 17 FOR MEDICAL PROGRESS, BIOMAX
 18 PROCUREMENT SERVICES, LLC, DAVID
 19 DALEIDEN, AND TROY NEWMAN

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA

22 NATIONAL ABORTION FEDERATION)	CASE NO.: 3:15-cv-03522-WHO
23 (NAF))	
24)	Judge William H. Orrick, III
25)	
26)	
27)	
28)	
29)	
30)	
31)	
32)	
33)	
34)	
35)	
36)	
37)	
38)	
39)	
40)	
41)	
42)	
43)	
44)	
45)	
46)	
47)	
48)	
49)	
50)	
51)	
52)	
53)	
54)	
55)	
56)	
57)	
58)	
59)	
60)	
61)	
62)	
63)	
64)	
65)	
66)	
67)	
68)	
69)	
70)	
71)	
72)	
73)	
74)	
75)	
76)	
77)	
78)	
79)	
80)	
81)	
82)	
83)	
84)	
85)	
86)	
87)	
88)	
89)	
90)	
91)	
92)	
93)	
94)	
95)	
96)	
97)	
98)	
99)	
100)	

1 Pursuant to Civil L.R. 6-2, Plaintiff National Abortion Federation (NAF) and Defendants
 2 The Center for Medical Progress, Biomax Procurement Services LLC, David Daleiden (aka
 3 “Robert Sarkis”), and Troy Newman (“Defendants”) file this stipulation regarding extending the

1 briefing and hearing schedule on NAF's preliminary injunction motion, and concurrently
2 extending the temporary restraining order through the date of the Court's final disposition on
3 NAF's preliminary injunction motion.

4 WHEREAS, on July 31, 2015, NAF filed the Complaint and moved for a temporary restraining
5 order, order to show cause, preliminary injunction motion, and motion for expedited discovery
6 (Docket Nos. 1, 3, 5);

7 WHEREAS, on the same day, the Court granted a temporary restraining order and order to show
8 cause, setting a hearing for August 3, 2015 (Docket No. 15);

9 WHEREAS, on August 3, 2015, the Court extended the temporary restraining order to remain in
10 effect pending resolution of NAF's preliminary injunction motion, granted NAF's motion for
11 expedited discovery, and set a briefing and hearing schedule (Docket No. 26, 27);

12 WHEREAS, the parties met and conferred regarding NAF's discovery requests and the
13 current scheduling order;

14 WHEREAS, the Court and the parties would benefit from an extension of the current
15 schedule to accommodate conflicts in the calendars of the witnesses subject to deposition
16 notices, to accommodate travel schedules for certain counsel of record, and to allow the parties
17 more time to engage in discovery and prepare papers in connection with NAF's preliminary
18 injunction motion;

19 WHEREAS, both parties are amenable to extending the Court's temporary restraining
20 order to remain in effect through the Court's final disposition on NAF's preliminary injunction
21 motion;

22 WHEREAS, the parties' agreed that Defendants' deadline for responding to the
23 Complaint be extended until 21 days after the Court's final disposition on NAF's preliminary
24 injunction motion;

25 WHEREAS, there have been no previous time modifications in this case;

26 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the
27 parties, subject to the approval of the Court, that:

28 ///

1 1. The Court’s temporary restraining order (Docket No. 15, 27) shall remain in
2 effect through the Court’s final disposition on NAF’s preliminary injunction motion; and

3 2. The following deadlines shall apply:

4 Thursday, August 20	Deadline for the parties to submit a joint discovery letter 5 concerning any discovery disputes relating to Plaintiff’s 6 motion for a preliminary injunction that they are unable to 7 resolve.
8 Friday, August 21 at 4:00 pm	Hearing on any disagreements concerning discovery if a 9 joint discovery letter was previously filed by the parties.
10 Friday, September 4	Deadline for conducting discovery relating to Plaintiff’s 11 motion for a preliminary injunction.
12 Wednesday, September 16	Deadline for Plaintiff’s submission of a brief in support of its 13 motion for a preliminary injunction.
14 Monday, September 28	Deadline for Defendants’ submission of a brief opposing the 15 motion.
16 Monday, October 5	Deadline for Plaintiff’s submission of a reply brief in support 17 of the motion.
18 Thursday, October 8, at 4:00 19 pm	Hearing on the motion.
20 21 days after the Court’s final 21 disposition on NAF’s 22 preliminary injunction motion	Defendants’ deadline to respond to the Complaint.

23
24 3. The deadlines set in the existing Order Setting Initial Case Management Conference and
25 ADR Deadlines (Aug. 3, 2015) (Docket No. 19) be vacated, to be reset after Defendants file their
26 response to the Complaint.

27 ///

28 ///

1 **IT IS SO STIPULATED.**

2 Dated August 6, 2015.

3 /s/ Derek F. Foran

4 LINDA E. SHOSTAK (CA SBN
64599)

5 LShostak@mofo.com

6 DEREK F. FORAN (CA SBN 224569)

7 Dforan@mofo.com

8 CHRISTOPHER L. ROBINSON
(CA SBN 260778)

9 ChristopherRobinson@mofo.com

10 MORRISON & FOERSTER LLP

11 425 Market Street

12 San Francisco, California 94105-2482

13 Telephone: 415.268.7000

14 Facsimile: 415.268.7522

15 Attorney for Plaintiff NATIONAL
16 ABORTION FEDERATION (NAF)

Respectfully submitted,

/s/ Brian R. Chavez-Ochoa

BRIAN R. CHAVEZ-OCHOA (CA Bar 190289)

brianr@chavezocholaw.com

CHAVEZ-OCHOA LAW OFFICES, INC.

4 Jean Street, Suite 4

Valley Springs, CA 95252

Tel: (209) 772-3013; Fax: (209) 772-3090

CATHERINE W. SHORT (CA Bar 117442)

LIFE LEGAL DEFENSE FOUNDATION

P.O. Box 1313

Ojai, CA 93024-1313

Tel: (707) 337-6880; Fax: (805) 640-1940

E-Mail: LLDFOjai@earthlink.net

JAY ALAN SEKULOW (DC Bar 496335)

STUART J. ROTH (DC Bar 475937)

ANDREW J. EKONOMOU (GA Bar 242750)

CECILIA N. HEIL (CA Bar 165392)

CARLY F. GAMMILL (TN Bar 28217)

ABIGAIL A. SOUTHERLAND (TN Bar 022608)

JOSEPH WILLIAMS (TN Bar 033626)

AMERICAN CENTER FOR LAW & JUSTICE

201 Maryland Avenue, NE

Washington, DC 20002

Tel: (202) 546-8890

Fax: (202) 546-9309

E-Mail: sekulow@aclj.org

EDWARD L. WHITE III (MI Bar P62485)

ERIK M. ZIMMERMAN (MI Bar P78026)

AMERICAN CENTER FOR LAW & JUSTICE

3001 Plymouth Road, Suite 203

Ann Arbor, MI 48105

Tel: (734) 680-8007; Fax: (734) 680-8006

E-Mail: ezimmerman@aclj.org

Attorney for Defendants, THE CENTER
FOR MEDICAL PROGRESS, BIOMAX
PROCUREMENT SERVICES, LLC, DAVID
DALEIDEN, and TROY NEWMAN

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

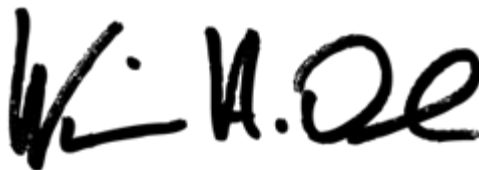
ORDER

Based on the foregoing stipulation,

IT IS SO ORDERED, as modified below:

1. **The deadline to submit the joint discovery letter is Wednesday, August 19, 2015.**
2. **The hearing on any discovery disagreement will be on Friday, August 21, 2015 at 10:00 a.m.**
3. **The hearing on plaintiff's motion for preliminary injunction is set for 3:00 p.m. on Friday, October 9, 2015.**

With those exceptions, all other terms and conditions of the parties' Joint Stipulation are approved and adopted without modification.



Dated: August 6, 2015

The Honorable Judge William H. Orrick
United States District Judge