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 10 IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO/OAKLAND DIVISION  
 12

13 JOHN J. O’ROURKE,

14 Plaintiff,

15 vs.

16 NORTHERN CALIFORNIA ELECTRICAL  
 WORKERS PENSION PLAN and BOARD OF )  
 17 TRUSTEES OF THE NORTHERN )  
 CALIFORNIA ELECTRICAL WORKERS )  
 18 PENSION TRUST, )

19 Defendants.  
 20

Case No. 16-cv-02007-WHO

)  
 ) **STIPULATION AND ~~PROPOSED~~**  
 ) **ORDER CONTINUING HEARING**  
 ) **DATE AND CASE MANAGEMENT**  
 ) **CONFERENCE**

21 WHEREAS, in its minute order of July 19, 2016 (ECF 23), the Court adopted the  
 22 parties’ proposed schedule for cross-motions for summary judgment, terminating in a hearing on  
 23 October 26, 2016, and also set a case management conference for November 29, 2016, at 2:00  
 24 p.m.; and

25 WHEREAS, a conflict has arisen for Defendants’ counsel on October 26, 2016; and

26 WHEREAS, the adopted schedule calls for Plaintiff’s motion for summary judgment to  
 27 be filed on August 17, 2016; and

28 WHEREAS, on August 15, 2016, Defendants, in response to Plaintiff’s discovery

1 requests to complete the administrative record, produced 524 pages of documents that  
2 supplemented the 229 pages of documents provided to Plaintiff's former counsel in June 2015,  
3 as documents relevant to Plaintiff's claim; and

4 WHEREAS, the parties have therefore agreed to continue the dates for all the filings  
5 related to the cross-motions by one week; and

6 WHEREAS, the Court's next available hearing date is November 9, 2016;

7 NOW, THEREFORE, the parties stipulate and request that the Court order as follows:

8 1. The briefing schedule for the initial cross-motions for summary judgment shall  
9 be continued by one week as follows: Plaintiff shall file his motion by August 24, 2016;  
10 Defendants shall file their opposition and cross-motion by September 14, 2016; Plaintiff shall  
11 file his opposition and reply by October 5, 2016; Defendants shall file their reply by October 19,  
12 2016;

13 2. The hearing on the cross-motions shall be held on November 9, 2016, or such  
14 other date as suits the Court's convenience;

15 3. The case management conference currently set for November 29, 2016, shall be  
16 continued to December 13, 2016, at 2:00 p.m., or such other date as suits the Court's  
17 convenience.

18 SO STIPULATED.

19  
20 Dated: August 16, 2016

RENAKER HASSELMAN LLP

21 By: /s/ Teresa S. Renaker  
Teresa S. Renaker  
Attorneys for Plaintiff

22  
23 Dated: August 16, 2016

TRUCKER HUSS APC

24 By: /s/ Clarissa A. Kang  
Clarissa A. Kang  
Angel L. Garrett  
Attorneys for Defendants

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26  
27 **ATTESTATION**

28 Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this

1 document has been obtained from each of the other signatories.

2 /s/ Teresa S. Renaker  
3 Teresa S. Renaker

4 ~~PROPOSED~~ ORDER

5 The briefing schedule previously adopted for the parties' cross-motions for summary  
6 judgment, is continued by one week as set forth in the parties' stipulation, above; the hearing is  
7 continued to November 9, 2016; and the case management conference currently set for  
8 November 29, 2016, is continued to December 13, 2016, at 2:00 p.m.

9 IT IS SO ORDERED.

10  
11 Dated: August 17, 2016

12   
13 WILLIAM H. ORRICK  
14 United States District Judge