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6 Attorneys for Defendant
 BERKELEY UNIFIED SCHOOL DISTRICT

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 YVETTE FELARCA,) CASE NO. 16-06184 RS
)
 12 Plaintiff,) **STIPULATION TO (1) STRIKE AS**
) **MOOT PORTIONS OF MOTION**
 13 vs.) **FOR PRELIMINARY INJUNCTION,**
) **(2) RE-SCHEDULE HEARING, AND**
 14 BERKELEY UNIFIED SCHOOL) **(3) MODIFY BRIEFING SCHEDULE;**
) **~~PROPOSED ORDER~~**
 15 DISTRICT, SUPERINTENDENT DONALD)
)
 16 EVANS, BEATRIZ LEYVA-CUTLER, TY)
)
 17 ALPER, JUDY APPEL, JOSH DANIELS,)
)
 18 KAREN HEMPHILL, LISA VAN THILLO,)
)
 EVELYN TAMONDONG-BRADLEY,)
)
 19 JANET LEVENSON, MARC COPLAN, and)
)
 DOES 1-10,)
)
 Defendants.)

20 **STIPULATION**

21 This STIPULATION is entered into between plaintiff Yvette Felarca (“Felarca”), on the
 22 one hand, and defendant, Berkeley Unified School District (“BUSD”), on the other hand,
 23 through their respective counsel, as follows:

24 WHEREAS, on October 26, 2016, this Court denied a Motion for Temporary Restraining
 25 Order brought by Felarca and set for hearing on December 8, 2016 a related Motion for
 26 Preliminary Injunction seeking (1) immediate reinstatement of Felarca to active-duty
 27 employment with BUSD, (2) to prevent further denial of wages, and (3) to rescind the imposition

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1 of a disciplinary letter, and required any opposition to said Motion to be filed on or before
2 November 10, 2016 (DOCKET # 9);

3 WHEREAS, counsel for BUSD did not receive this Order from the Court until November
4 8, 2016;

5 WHEREAS, Felarca has been reinstated to active-duty employment with BUSD and,
6 THEREFORE, Felerca and BUSD have stipulated and agreed that:

7 1. The portion of the Motion for Preliminary Injunction to reinstate Felarca is now
8 moot, as Felarca has been reinstated.

9 2. The hearing on the Motion for Preliminary Injunction shall be continued on this
10 Court's calendar to February 2, 2017 at 1:30 p.m., with all opposition papers to be filed
11 on/before January 12, 2017, and all reply papers to be filed on/before January 19, 2017.

12 IT IS SO STIPULATED.

13 Dated: November 21, 2016

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16 By: /S/ Jerome Schreiberstein
17 MARK S. POSARD
18 JEROME SCHREIBSTEIN
Attorneys for Defendant
BERKELEY UNIFIED SCHOOL DISTRICT

19 Dated: November 21, 2016

UNITED FOR EQUALITY AND AFFIRMATIVE
ACTION LEGAL DEFENSE FUND

20
21 By: /S/ Ronald Cruz
22 RONALD CRUZ
23 SHANTA DRIVER* (Michigan Bar No. P65007)
24 *Pro hac vice application pending
25 Attorneys for Plaintiff
26
27
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ORDER

Per Stipulation of the parties, and good cause otherwise appearing:

1. The portion of the Motion for Preliminary Injunction to reinstate Felarca is now moot, as Felarca has been reinstated.

2. The hearing on the Motion for Preliminary Injunction is hereby continued on this Court's calendar to February 2, 2017 at 1:30 p.m., with all opposition papers to be filed on/before January 12, 2017 and all reply papers to be filed on/before January 19, 2017

IT IS SO ORDERED.

Dated: November 22, 2016

By: 
HON. RICHARD SEEBORG

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