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6 Attorneys for Plaintiff  
 7 California Restaurant Association

8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**

12 CALIFORNIA RESTAURANT	)	<b>Case No. 3:16-cv-06660-JST</b>
ASSOCIATION, a California nonprofit mutual	)	
13 benefit corporation,	)	<b>STIPULATION TO CHANGE HEARING</b>
	)	<b>DATE ON CALIFORNIA RESTAURANT</b>
14 Plaintiff,	)	<b>ASSOCIATION’S MOTION FOR</b>
	)	<b>PRELIMINARY INJUNCTION and CITY</b>
15 v.	)	<b>OF EMERYVILLE’S MOTION TO</b>
	)	<b>DISMISS; PROPOSED ORDER</b>
16 CITY OF EMERYVILLE, a California	)	
municipal corporation,	)	
	)	
17 Defendant.	)	
	)	
	)	
	)	

19  
 20 Plaintiff California Restaurant Association (“CRA”) and Defendants City of Emeryville  
 21 (“the City”) and Unite Here Local 2850 (“Local 2850”) (collectively, “the Parties”) hereby  
 22 stipulate and agree that the hearing date currently set for March 9, 2017 at 2:00 p.m., in  
 23 Courtroom 9 to hear CRA’s Motion for Preliminary Injunction and the City’s Motion to Dismiss  
 24 (collectively, “the Motions”) be moved to March 23, 2017. This stipulation is made pursuant to  
 25 Rules 6-1, 6-2, and 7-12 of the United States District Court for the Northern District of California.

26 The Parties also hereby stipulate to the following briefing schedule for the respective  
 27 opposition and reply briefs for the Motions:

28 Opposition Briefs: February 21, 2017

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1                   Reply Briefs: February 28, 2017

2                   There have been two previous time modifications in this case. First, on December 28,  
3 2016, the Parties agreed by stipulation (Dkt. No. 11) that the City's responsive pleading deadline  
4 would be extended from January 4, 2017 to January 18, 2017. Second, on January 10, 2017, the  
5 Court entered an Order (Dkt. No. 13) granting the Parties' stipulation to extend the City's  
6 responsive pleading deadline to January 31, 2017, reserve a March 9, 2017 hearing date on the  
7 Motions, and set a corresponding briefing schedule.

8                   Subsequent to the prior stipulation setting a March 9, 2017 hearing date, CRA's counsel  
9 has received notice to appear for a hearing in another matter and is no longer available on  
10 March 9. The City's counsel in turn is scheduled to be in trial during the week of March 16, 2017.  
11 Accordingly, March 23, 2017 is the next available date on the Court's motion calendar that  
12 counsel for all parties are available.

13                   Continuing the hearing on the Motions will have no significant impact on the schedule for  
14 this case as the case is not yet at issue and no trial date has been scheduled.

15 **IT IS SO STIPULATED.**

16 Dated: February 9, 2017

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17  
18 By: /s/ Lukas J. Clary  
Lukas J. Clary

19 Attorneys for Plaintiff  
20 California Restaurant Association

21 Dated: February 9, 2017

Burke, Williams & Sorensen LLP

22 By: /s/ J. Leah Castella  
23 J. Leah Castella

24 Attorneys for Defendant  
25 City of Emeryville

26 Dated: February 9, 2017

McCracken, Stemerman & Holsberry, LLP

27 By: /s/ Paul L. More  
Paul L. More

28 Attorneys for Intervenor  
UNITE HERE Local 2850`

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~~PROPOSED ORDER~~

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 10, 2017

  
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Hon. Jon S. Tigar