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12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 OAKLAND DIVISION
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16 JOHN ARMSTRONG, et al.,
 17 Plaintiffs,
 18 v.
 19 EDMUND G. BROWN, JR., et al.,
 20 Defendants.¹

Case No. C94 2307 CW

**STIPULATION AND ORDER
 REGARDING DEPOSITIONS**

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 27 ¹ The names of Defendants currently serving and their capacities have been substituted
 28 pursuant to Fed. R. Civ. P. 25.

1 WHEREAS, on February 10, 2011, the Court issued an Order setting a briefing
2 schedule for resolution of the discovery dispute between the parties concerning Plaintiffs'
3 Motion to Compel Compensation at Plaintiff's Counsel's Reasonable 2010 Hourly Rates
4 (Docket No. 1745)("Plaintiffs' 2010 Rates Motion"), with the last brief to be filed on February
5 24, 2011 and with the Court then to decide Defendants' motion to compel discovery and
6 Plaintiffs' motion for a protective order on the papers (*see* Docket No. 1835, Order Granting in
7 Part Plaintiffs' Motion to Shorten Time, Granting Plaintiffs' Motion for Leave to Submit
8 Reply and Denying Plaintiffs' Request for Telephonic Status Conference);

9 WHEREAS, Defendants have issued and in some cases served deposition notices and
10 subpoenas addressed to a total of eight persons, with multiple depositions noticed to take place
11 on February 23, February 24, and February 25, 2011, all seeking testimony and documents that
12 are the subjects of the above-described Motion and Cross Motion;

13 WHEREAS, the February 10, 2011 Order provided that Defendants will be permitted to
14 supplement their opposition to Plaintiffs' 2010 Rates Motion after March 8, 2011 if necessary
15 and if they are granted additional discovery; and

16 WHEREAS, the February 10, 2011 Order did not specifically stay the depositions
17 noticed by Defendants pending the outcome of the above described Motion and Cross Motion;

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1 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

2 The depositions noticed by Defendants and currently set for February 23, February 24,
3 and February 25, 2011 shall not be taken on those dates without prejudice to their being re-
4 noticed and taken at some later date in the event the Court so orders. Should the Court decide
5 that any depositions seeking evidence in connection with Plaintiffs' 2010 Rates Motion may
6 proceed and a supplement to the opposition to Plaintiffs' 2010 Rates Motion may be filed, the
7 parties will meet and confer promptly to schedule such depositions at mutually acceptable
8 dates and times consistent with any schedule the Court may set for such depositions.
9 Defendants' supplement to their opposition shall be filed no later than 15 days after the last of
10 any such depositions is taken, in which case the matter will not be deemed submitted, nor be
11 decided, until Defendants' supplement to their opposition is filed.

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13 Dated: February 11, 2011

ROSEN, BIEN & GALVAN, LLP

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15 Bv: */s/ Gav C. Grunfeld*
Gay C. Grunfeld
Attorneys for Plaintiffs

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17 Dated: February 11, 2011

KAMALA D. HARRIS,
Attorney General of the State of California

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19 By: */s/ Scott Feudale*

Scott Feudale
Deputy Attorney General
Attorneys for Defendants

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23 IT IS SO ORDERED.

24 Dated: 2/15/2011

Claudia Wilken

The Honorable Claudia Wilken
United States District Judge