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8
 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

13 **LANCE VAN HOOK,**

14 Plaintiff,

15 v.

17 **BEN CURRY, Warden, and JAMES E.
 18 TILTON, Former Secretary of the
 CDCR,**

19 Defendants.

Case No. C 06-3148 PJH (pr)

**STIPULATION AND [PROPOSED]
 ORDER AMENDING BRIEFING
 SCHEDULE FOR DISPOSITIVE
 MOTION**

Judge: The Honorable Phyllis J. Hamilton

21 TO THE HONORABLE PHYLLIS J. HAMILTON:

22 The parties request that the Court amend the current briefing schedule for
 23 Defendants' dispositive motion, as follows:

- 24 1) Defendants' dispositive motion is due June 30, 2009.
- 25 2) Plaintiff's opposition is due August 31, 2009.
- 26 3) Defendants' reply is due September 15, 2009.

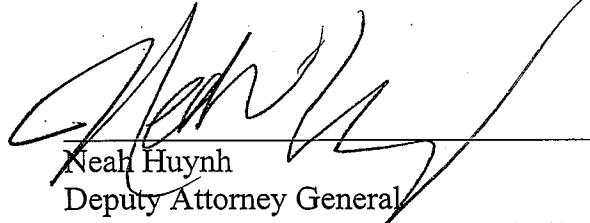
27 In support, the parties state the following: The current dispositive-motion deadline
 28 is May 22, 2009. (*See* Order 6, Docket 27, Mar. 23, 2009.) Plaintiff's opposition is due

1 within thirty days from when the motion is served on him. (*Id.*) Defendants' optional
2 reply is due within fourteen days from when the opposition is served on them. The parties
3 need additional time to investigate, conduct research, and interview witnesses. Further,
4 Plaintiff needs additional time because he is incarcerated, is proceeding pro se, and has
5 limited access to the prison law library. Other than Plaintiff's request for an extension of
6 time to file an amended complaint (which was granted), this stipulation is the parties' first
7 request for an extension of time to file and respond to a dispositive motion. (*See* Pl.'s
8 Mot. Enlargement Time, Docket 17, Mar. 27, 2008; Order, Docket 28, March 27, 2009.)

9 A jury trial date has not been set. The parties believe that the requested extension of
10 time will have minimal impact on the schedule for the case, and no other deadlines will be
11 affected. This request is not made for any purpose of harassment, undue delay, or any
12 improper reason.

13 The parties so stipulate.

14
15 Date: May 7, 2009 
16 Lance Van Hook, CDCR # E-08434
17 Plaintiff in Pro Se

18 Date: 5/11/09 
19 Neah Huynh
20 Deputy Attorney General
21 Counsel for Defendants Curry and Tilton

22 *****

23 IN ACCORDANCE WITH THIS STIPULATION, the Court hereby amends the
24 briefing schedule for Defendants' dispositive motion, as follows.

- 25 1) Defendants' dispositive motion is due June 30, 2009.
26 2) Plaintiff's opposition is due August 31, 2009.
27 3) Defendants' reply is due September 15, 2009.

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The motion will be deemed submitted without oral argument when the reply is due.
It is so ordered.

Date: 5/18/09

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CERTIFICATE OF SERVICE

Case Name: L. Van Hook v. B. Curry, et al.

No. C 06-3148 PJH (PR)

I hereby certify that on May 11, 2009, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

STIPULATION AND [PROPOSED] ORDER
AMENDING BRIEFING SCHEDULE FOR DISPOSITIVE MOTION

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. On May 11, 2009, I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participant:

Lance Van Hook
E-08434
Correctional Training Facility
P.O. Box 686
Soledad, CA 93960-0686
In Pro Se
E-08434

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 11, 2009, at San Francisco, California.

S. Redd
Declarant


Signature