

1 HOJOON HWANG (SBN 184950)
 Hojoon.Hwang@mto.com
 2 JASON RANTANEN (SBN 229404)
 Jason.Rantanen@mto.com
 3 MUNGER, TOLLES & OLSON LLP
 560 Mission Street, 27th Floor
 4 San Francisco, CA 94105
 Telephone: (415) 512-4000
 5 Facsimile: (415) 512-4077

6 Attorneys for Plaintiff
 PHILIP MORRIS USA INC.

7 DENNIS J. HERRERA (SBN 139669)
 City Attorney
 8 WAYNE SNODGRASS (SBN 148137)
 Wayne.Snodgrass@sfgov.org
 9 VINCE CHHABRIA (SBN 208557)
 Vince.Chhabria@sfgov.org
 10 City Hall, Room 234
 11 1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102
 12 Telephone: (415) 554-4674
 Facsimile: (415) 554-4699

13 Attorneys for Defendants
 14 CITY AND COUNTY OF SAN FRANCISCO ET. AL.

15 UNITED STATES DISTRICT COURT
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 17 OAKLAND DIVISION

18
 19 PHILIP MORRIS USA INC.

20 Plaintiff,

21 vs.

22 CITY AND COUNTY OF SAN
 FRANCISCO; BOARD OF
 23 SUPERVISORS OF THE CITY AND
 COUNTY OF SAN FRANCISCO; and
 24 GAVIN NEWSOM, in his official capacity
 as MAYOR of the City and County of San
 25 Francisco,

26 Defendants.

Case No. C08-4482 CW

**STIPULATION AND ORDER
 REGARDING BRIEFING SCHEDULE
 FOR *EX PARTE* MOTION FOR
 TEMPORARY RESTRAINING ORDER**

1 Pursuant to the Court's request, the parties in the above captioned matter have
2 telephonically met and conferred regarding a briefing schedule for the "Ex Parte Motion for a
3 Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction" (the "TRO
4 Motion") filed by Plaintiff Phillip Morris USA Inc. on September 24, 2008. In light of the fact
5 that Ordinance No. 194-08 will otherwise take effect on October 1, 2008, the parties have agreed
6 on the following stipulated briefing schedule:

7 (1) Defendants shall file and serve their Opposition to the TRO Motion by ECF no later
8 than 3:00 PM on Monday, September 29, 2008; and

9 (2) Plaintiff may file a reply brief by ECF no later than 8:30 AM on September 30, 2008.

10 If desired by the Court, the Parties will serve additional courtesy copies for the Court's
11 use in such manner and by such time as the Court may direct.

12 DATED: September 25, 2008

OFFICE OF THE CITY ATTORNEY FOR
THE CITY AND COUNTY OF SAN
FRANCISCO

13 By: _____
14 VINCE CHHABRIA

15 Attorney For Defendants
16 CITY AND COUNTY OF SAN
17 FRANCISCO ET. AL.

18 DATED: September 25, 2008

MUNGER, TOLLES & OLSON LLP

19 By: _____
20 HOJOON HWANG

21 Attorneys for Plaintiff
22 PHILIP MORRIS USA INC.

23 IT IS SO ORDERED.

24 Dated: Sept. 26, 2008

25 

26 Hon. Claudia Wilken
27 United States District Judge
28