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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **UNITED STATES OF AMERICA,**

**Case No.: C085725**

13 Plaintiff,

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME TO  
ANSWER OR OTHERWISE RESPOND  
TO PLAINTIFF'S COMPLAINT**

14 vs.

15 **CITY OF EUREKA and CITY OF**

**[L.R. 6-1(a)]**

16 **ARCATA,**

17 Defendants.

18 \_\_\_\_\_ /  
19 Plaintiff United States of America (hereinafter "Plaintiff") and Defendants, City of  
20 Arcata and City of Eureka (hereinafter "Defendants") by and through their respective  
21 counsel, stipulate that the time for Defendants to answer or otherwise respond to  
22 Plaintiff's Complaint is extended to February 12, 2009. Counsel for both the United  
23 States of America, Joel McElvain, and City of Arcata, Nancy Diamond, have authorized  
24 counsel for the City of Eureka, Sheryl Schaffner, to electronically "sign" and file this  
25 stipulation on their behalf.

**IT IS SO STIPULATED.**

1 Dated: January 13, 2009

2  
3 \_\_\_\_\_/s/\_\_\_\_\_  
4 Nancy Diamond, Esq.  
5 Attorney for Defendant  
6 City of Arcata

7 Dated: January 13, 2009

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9 \_\_\_\_\_/s/\_\_\_\_\_  
10 Sheryl L. Schaffner, Esq.  
11 Attorney for Defendant  
12 City of Eureka

13 Dated: January 13, 2009

14  
15 \_\_\_\_\_/s/\_\_\_\_\_  
16 Joel McElvain  
17 Attorney for Plaintiff  
18 United States of America

19 IT IS SO ORDERED:

20   
21 \_\_\_\_\_  
22 Magistrate Judge B. Zimmerman

23 \_\_\_\_\_  
24 January 13, 2009  
25 \_\_\_\_\_  
Date