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

13 **LILLIE BRANTLEY, by her guardian ad**
 14 **litam Chauncey McLorin; GILDA**
 15 **GARCIA; ALLIE JO WOODARD, by her**
 16 **guardian ad litam Linda Gaspard-Berry;**
 17 **HARRY COTA; SUMI KONRAI by her**
 18 **guardian ad litam Casey Konrai; RONALD**
 19 **BELL by his guardian ad litam Rozene**
 20 **Dilworth, individually and on behalf of all**
 21 **others similarly situated,**
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1 WHEREAS Plaintiffs' Motion for Class Certification currently is set for hearing on March
2 16, 2010, with Defendants' opposition due on February 23, 2010, and Plaintiffs' reply due on
3 March 2, 2010; and

4 WHEREAS Plaintiffs' Motion for Preliminary Injunction currently is set for hearing on
5 February 23, 2010, the same date that Defendants' opposition to the Motion for Class
6 Certification is due; and

7 WHEREAS the Court's ruling on the motion for preliminary injunction will impact the
8 motion for class certification, the parties' analysis of whether the requirements for class
9 certification under Federal Rule of Civil Procedure 23 have been met, and whether any subclass is
10 necessary in the event a class is certified; and

11 WHEREAS, the parties have agreed to a new briefing schedule and hearing date that will
12 permit the parties and the Court to address the issue of class certification after the Court has ruled
13 on the preliminary injunction motion, which will further the interests of efficiency and judicial
14 economy; and

15 WHEREAS the only prior continuance of deadlines in this case was the one-day
16 continuance of the hearing on Plaintiffs' first motion for preliminary injunction pursuant to court
17 order, and the requested continuance of the hearing on the motion for class certification by
18 approximately one month-and-a-half will not impact the schedule or trial of this case.

19 THE PARTIES HEREBY STIPULATE to request that the Court enter the following
20 briefing schedule and hearing date:

21 1) Defendants' opposition to Plaintiffs' Motion for Class Certification shall be
22 filed on or before March 23, 2010;

23 2) Plaintiffs' reply shall be filed on or before April 13, 2010;

24 3) The Court will hear the motion on April 27, 2010.

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It is so stipulated.

Dated: February 12, 2010

EDMUND G. BROWN JR.
Attorney General of California

/s/ Susan M. Carson
SUSAN M. CARSON
Supervising Deputy Attorney General
Attorneys for Defendants

/s/ Elissa Gershon
DISABILITY RIGHTS CALIFORNIA
By: Elissa Gershon
Attorneys for Plaintiffs

1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 “conformed” signature (/s/) within this efiled document.

3
4 Dated: February 12, 2010

5 /s/ Susan M. Carson
6 SUSAN M. CARSON
7 Supervising Deputy Attorney General
8 *Attorneys for Defendant*


9 PURSUANT TO STIPULATION, and good cause having been shown, the Court hereby
10 orders the following briefing schedule and hearing date for Plaintiffs’ Motion for Class

11 Certification:

- 12 1) Defendants’ opposition to Plaintiffs’ Motion for Class Certification shall be filed on
13 or before March 23, 2010;
- 14 2) Plaintiffs’ reply shall be filed on or before April 13, 2010;
- 15 3) The Court will hear the motion on April 27, 2010 at 1:00 p.m.

16 IT IS SO ORDERED.

17
18 Dated: February 16, 2010

19 
20 The Hon. Saundra Brown Armstrong
21 United States District Court

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