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 18 SONOMA COUNTY

19 **UNITED STATES DISTRICT COURT**
 20 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

22 SONOMA COUNTY ASSOCIATION
 OF RETIRED EMPLOYEES,

23 Plaintiff,

24 v.

25 SONOMA COUNTY,

26 Defendant.

No. CV 09-4432 CW

**STIPULATION AND REQUEST FOR
 ORDER TO EXTEND TIME FOR FILING
 RESPONSIVE PLEADING AND TO
 ADVANCE CERTAIN CASE SCHEDULE
 DEADLINES; ~~{PROPOSED}~~ ORDER**

1 Plaintiff the Sonoma County Association of Retired Employees (“SCARE”) and
2 Defendant the County of Sonoma (“County”) (collectively the “Parties”), through their
3 respective counsel of record, hereby agree and stipulate as follows.

4 1. SCARE filed and served its complaint in this action on September 22,
5 2009, seeking declaratory and injunctive relief against the County with respect to retiree
6 health benefits.

7 2. While the County worked to engage outside counsel, the parties stipulated
8 to an extension of the deadline for the County’s responsive pleading. The Court signed
9 the Order on October 19, 2009. The County recently engaged outside counsel, and the
10 Court ordered their substitution on November 2, 2009.

11 3. The County’s responsive pleading is currently due on November 11, 2009.
12 The parties have agreed that the County shall have through and including December 18,
13 2009, in which to file its responsive pleading in this matter, including without limitation a
14 motion pursuant to Federal Rule of Civil Procedure (“FRCP”) Rule 12(b), (e) and/or (f).

15 4. The County intends to file a Rule 12 motion to dismiss which shall be heard
16 on February 11, 2010, and which the Court’s clerk indicated to the Parties was available.
17 If February 11, 2010 is not available, the Parties respectfully request the next available
18 hearing date. SCARE’s opposition brief and the County’s reply brief shall be due 21 and
19 14 days respectively prior to the hearing date, pursuant to Civil Local Rule 7-3.

20 5. Given the length of time between the filing of the complaint and the initial
21 case management conference (the “CMC”), the Parties have stipulated to prepare the
22 FRCP Rule 26(f) report, to begin initial disclosures and that written discovery may
23 commence in advance of the current deadlines.

24 6. The current meet and confer deadline for the Rule 26(f) report and ADR
25 process selection, as well as for filing the ADR certification and either the stipulation to
26 ADR process or notice of need for ADR phone conference, is March 16, 2010. The
27 Parties have agreed that the Parties shall meet and confer per Rule 26(f) and shall file
28 the ADR documentation on or before January 22, 2010.

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ORDER

Pursuant to the foregoing stipulation, it is so ordered.

Dated: 11/9/09



HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT COURT

1 I, Bill Lann Lee, am the ECF user whose identification and password are being used to
2 file this Stipulation to Extend Time for Filing Responsive Pleading; [Proposed] Order, on
3 behalf of all parties pursuant to Civil Local Rule 7-11. I hereby attest that, pursuant to
4 General Order 45, Section XB, concurrence in the filing of this document has been
5 obtained from each of the other signatories herein.

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7 Dated: November 5, 2009

By: /S/

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Bill Lann Lee, Attorney
Lewis, Feinberg, Lee, Renaker & Jackson, P.C.

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