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| 16 | Attorneys for Defendant Sonoma County   |   |  |  |  |
| 17 |   |   |  |  |  |
| 18 | IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA   |   |  |  |  |
| 19 |   |   |  |  |  |
| 20 |   | G   |  |  |  |
| 21 | SONOMA COUNTY ASSOCIATION OF RETIRED EMPLOYEES,   | Case No. CV 09-4432 CW                                |  |  |  |
| 22 | Plaintiff,  | STIPULATION TO EXTEND TIME TO FILE RULE 26(f) REPORT; |  |  |  |
| 23 | vs.   | <del>-[PROPOSED]</del> ORDER                          |  |  |  |
| 24 | SONOMA COUNTY,  | [No Hearing Required]                                 |  |  |  |
| 25 | Defendant.  |   |  |  |  |
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Plaintiff the Sonoma County Association of Retired Employees ("SCARE") and Defendant the County of Sonoma (the "County"), through their respective counsel of record, hereby agree and stipulate as follows.

- SCARE filed and served its complaint in this action on September 22, 2009, seeking declaratory and injunctive relief against the County with respect to retiree health benefits.
- 2. The County filed a Motion to Dismiss SCARE's Complaint on December 18, 2009. (Docket "Dkt." No. 13) Plaintiffs filed their Opposition to the County's Motion to Dismiss on January 21, 2010. (Dkt. 17.) Defendant's Reply to Plaintiff's Opposition is due on January 28, 2010.
- 3. The Parties' Joint Case Management Conference statement ("CMC Statement") is currently due March 30, 2010. The Parties previously stipulated to make initial disclosures, file the Rule 26(f) Report, and commence written discovery on February 5, 2010. (Dkt. 10.)
- 4. The Parties met and conferred on January 21, 2010, and again on January 25, 2010. As a result of and during these discussions, the Parties reconsidered the value of submitting a Rule 26(f) Report on February 5, 2010, well in advance of the April 6, 2010 Initial Case Management Conference. It is evident that the Parties' positions on the scope of discovery and, therefore, their ability to submit a realistic discovery plan and schedule, could be substantially affected by the Court's analysis and disposition of the County's pending Motion to Dismiss. The Parties now believe that the submission of their Rule 26(f) Report should be deferred until the date of the submission of the CMC Statement, as is the usual practice, so that the parties will have the benefit of the Court's disposition of the County's Motion to Dismiss.
- 5. Accordingly, the Parties stipulate and agree that they will file the Rule 26(f) report in conjunction with the CMC Statement on or before March 30, 2010. The Parties have scheduled additional meet and confer dates for March 17, 2010 and March 24, 2010 at 10:00 a.m. to further address the Rule 26(f) Report and the CMC Statement.

| 1      | Dated: February 3, 2010                                    |        | Respectfully submitted,  |
|--------|--|--------|--|
| 2      |  |        | LEWIS, FEINBERG, LEE,<br>RENAKER & JACKSON, P.C.                     |
| 3      |  | By:    | /s/ Andrew Lah   |
| 4<br>5 |  |        | Andrew Lah Attorneys for Plaintiff                                   |
| 6      |  |        | Jeffrey Lewis<br>Bill Lann Lee                                       |
| 7      |  |        | Andrew Lah<br>Sacha Steinberger                                      |
| 8      |  |        | LEWIS, FEINBERG, LEE,<br>RENAKER & JACKSON, P.C.                     |
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| 11     |  |        | HANSON BRIDGETT LLP  |
| 12     |  | By:    | /s/Sarah D. Mott<br>Sarah D. Mott                                    |
| 13     |  |        | Attorneys for Defendant  |
| 14     |  |        | Raymond F. Lynch<br>Robert A. Blum                                   |
| 15     |  |        | Sarah D. Mott Caroline B. Burnett                                    |
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|        | STIPULATION TO EXTEND TIME TO FIL [CASE No. Cv 09-4432 CW] | LE RUI | LE 26(F) REPORT; [PROPOSED] ORDER<br>Page 3                          |

| 1                               | * * * * *  |  |  |
|---------------------------------|--|--|--|
| 2                               | ORDER  |  |  |
| 3                               | Pursuant to the foregoing stipulation, it is so ordered.   |  |  |
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| 5                               | 2/5/10 Chidialit   |  |  |
| 6                               | Dated: HONORABLE CLAUDIA WILKEN  |  |  |
| 7                               | UNITED STATES DISTRICT COURT   |  |  |
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| 28                              | STIPULATION TO EXTEND TIME TO FILE RULE 26(F) REPORT; [PROPOSED] ORDER [CASE No. Cv 09-4432 CW] Page 4 |  |  |

I, Andrew Lah, am the ECF user whose identification and password are being used to file this Stipulation to Extend Time to File Rule 26(f) Report; [Proposed] Order, on behalf of all Parties pursuant to Civil Local Rule 7-11. I hereby attest that, pursuant to General Order 45, Section XB, concurrence in the filing of this document has been obtained from each of the other signatories herein. Dated: February 3, 2010 By: /s/ Andrew Lah Andrew Lah, Attorney Lewis, Feinberg, Lee, Renaker & Jackson, P.C. STIPULATION TO EXTEND TIME TO FILE RULE 26(F) REPORT; [PROPOSED] ORDER

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