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

13
 14 **V.L. , et al.,**

15 Plaintiffs,

16 v.

17 **JOHN A. WAGNER, et al.,**

18 Defendants.

CV 09-4668 CW

**STIPULATION AND ORDER AS
 MODIFIED [1] GRANTING PLAINTIFFS
 LEAVE TO FILE SECOND AMENDED
 COMPLAINT; [2] SETTING BRIEFING
 SCHEDULE FOR DEFENDANTS'
 MOTION TO DISMISS SECOND
 AMENDED COMPLAINT; AND
 [3] WITHDRAWING DEFENDANTS'
 MOTION TO DISMISS FIRST
 AMENDED COMPLAINT**

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 22 IT IS HEREBY STIPULATED between the parties through their respective counsel that,
 23 subject to Court approval:

24 1. Plaintiffs are hereby granted leave to file a Second Amended Complaint, a copy of
 25 which is attached hereto as Exhibit A. Plaintiffs' Second Amended Complaint shall be deemed
 26 served and filed as of the date that this order is served and filed by the Court.

27 2. Defendants shall file a motion to dismiss or otherwise respond to the Second
 28 Amended Complaint on or before February 2, 2010.

Stipulation and Order [1] Granting Plaintiffs Leave to File Second Amended Complaint; [2] Setting Briefing
 Schedule for Defendants' Motion to Dismiss Second Amended Complaint; and [3] Withdrawing Defendants' Motion
 to Dismiss First Amended Complaint (CV 09-4668 CW)

1 3. Plaintiffs' opposition to defendants' motion to dismiss shall be filed on or before
2 March 2, 2010.

3 4. Defendants' reply shall be filed on or before March 16, 2010.

4 5. The parties agree that defendants' pending motion to dismiss portions of plaintiff's
5 First Amended Complaint (Docket No. 204) is hereby withdrawn in light of the foregoing.

6 Dated: December 23, 2009

Respectfully submitted,

7 EDMUND G. BROWN JR.
8 Attorney General of California
9 KARIN S. SCHWARTZ
10 SUSAN M. CARSON
11 Supervising Deputy Attorneys General

12 /s/ *Gregory D. Brown*

13 JOSHUA N. SONDEIMER
14 GREGORY D. BROWN
15 MICHAEL A. ZWIBELMAN
16 Deputy Attorneys General
17 Attorneys for Defendants

18 Dated: December 23, 2009

Respectfully Submitted,

19 By: /s/ Melinda Bird

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26 *Attorneys for Plaintiffs SEIU-UHW, SEIU-ULTCW,
27 SEIU Local 521, SEIU California State Council,
28 UDW, and CUHW*

GENERAL ORDER 45 ATTESTATION

1 I, Gregory D. Brown, am the ECF user whose ID and password are being used to file this
2 stipulation and proposed order. In compliance with General Order 45, X.B., I hereby attest that
3 plaintiffs' counsel have concurred in the filing of this document with their electronic signatures.

4 Dated: December 23, 2009

5 /s/ Gregory D. Brown
6 Gregory D. Brown

7 GOOD CAUSE APPEARING, PURSUANT TO STIPULATION, IT IS SO ORDERED,
8 **EXCEPT PLAINTIFFS SHALL ELECTRONICALLY FILE THE SECOND AMENDED
9 COMPLAINT FORTHWITH.**

10 12/30/09

11 DATED: _____



12 Hon. Claudia Wilken
13 United States District Judge

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