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17 UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO/OAKLAND DIVISION

20	V.L., <i>et al.</i> ,)	Case No.: CV 09-04668 CW
)	
21	Plaintiffs)	STIPULATION AND ORDER
)	CONTINUING THE FURTHER CASE
22	v.)	MANAGEMENT CONFERENCE
)	PENDING RESOLUTION OF
23	WAGNER, <i>et al.</i> ,)	DEFENDANTS' PRELIMINARY
)	INJUNCTION APPEAL IN THE NINTH
24	Defendants)	CIRCUIT
25)	
26)	
27)	

1 WHEREAS defendants' preliminary injunction appeal is currently pending in the Ninth
2 Circuit;

3 WHEREAS oral argument on that appeal was heard and the matter submitted on June 15,
4 2010;

5 WHEREAS the Ninth Circuit deferred resolution of the preliminary injunction appeal
6 pending the United States Supreme Court's decision in the consolidated appeals in *Douglas v. Indep.*
7 *Living Ctr.*, 572 F.3d 644 (9th Cir. 2009), *Douglas v. Calif. Pharmacists Ass'n*, 2010 WL 737650 (9th
8 Cir. March 3, 2010) and *Douglas v. Santa Rosa Mem. Hosp.*, 2010 WL 2124276 (9th Cir. May 27,
9 2010), *certiorari granted*, 2011 WL 134272 (U.S. No. 09-958, Jan. 18, 2011) or upon further order
10 of the court; and

11 WHEREAS the parties agree that it would be more efficient for the Court and the parties to
12 continue the further case management conference pending resolution of the preliminary injunction
13 appeal:

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

- 16 1. The further case management conference scheduled for April 12, 2011 is taken off
17 calendar.
- 18 2. The further case management conference will be rescheduled for September 13, 2011 at
19 2:00 PM.

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3. The parties, by filing another Stipulation and Order, may request an earlier or later date for the further case management conference depending on the date the Ninth Circuit issues its opinion.

Dated: April 5, 2011

Respectfully submitted,
/s/ Frederick P. Nisen
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1 Dated: April 5, 2011

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12 Dated: April 5, 2011

Respectfully submitted,

/s/ *Gregory D. Brown*

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GENERAL ORDER 45 ATTESTATION


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

Dated: April 5, 2011

/s/ Frederick P. Nisen
Frederick P. Nisen

GOOD CAUSE APPEARING, PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 4/6/2011


The Honorable Claudia Wilken
United States District Judge