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7 Attorneys for Defendants

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

12 IN SUK KIM, )  
 13 )  
 Plaintiff, )  
 14 )  
 v. )  
 15 )  
 THOMAS J. VILSACK, SECRETARY OF )  
 16 UNITED STATES DEPARTMENT OF )  
 AGRICULTURE )  
 17 )  
 Defendant. )  
 18 \_\_\_\_\_ )

No. C-10-2101 CW  
 STIPULATION AND ORDER TO  
 MODIFY PRETRIAL SCHEDULE WITH  
 RESPECT TO MOTION FOR SUMMARY  
 JUDGMENT

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1 The plaintiff, In Suk Kim, PhD, (“Plaintiff”) and the federal defendant, Thomas Vilsack,  
2 Secretary of United States Department of Agriculture (“Federal Defendant”) by and through  
3 their counsel stipulate to the following:

4 WHEREAS, the current deadline for a party to file a motion for summary judgment is  
5 September 8, 2011;

6 WHEREAS, the close of fact discovery is September 16, 2011;

7 WHEREAS, the parties wish to allow for the close of fact discovery prior to the filing of  
8 a motion for summary judgment;

9 ACCORDINGLY, the parties stipulate to and request the following modification of the  
10 pretrial schedule: the last day to file and serve any motion for summary judgment is October 13,  
11 2011, any opposition to such motion must be filed and served by October 27, 2011, any reply  
12 brief must be filed and served by November 3, 2011, and the hearing on any such motion is  
13 November 17, 2011.

14 So Stipulated.

15 DATED: August 30, 2011

Respectfully submitted,

MELINDA HAAG  
United States Attorney

/s/ Melissa Sladden

\_\_\_\_\_  
MELISSA BROWN SLADDEN  
Assistant United States Attorney

20 DATED: August 30, 2011

RICHARD ROGERS  
Law Office of Richard M. Rogers

/s/ Richard Rogers

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RICHARD M. ROGERS  
Attorney for the Plaintiff

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**ORDER**

Pursuant to the stipulation of the parties, the last day to file and serve any motion for summary judgment is October 13, 2011, any opposition to such motion must be filed and served by October 27, 2011, any reply brief must be filed and served by November 3, 2011, and the hearing on any such motion is November 17, 2011.

IT IS SO ORDERED

Dated: 9/2/2011

  
CLAUDIA WILKEN  
United States District Court Judge

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