

1 MELINDA HAAG (CABN 132612)
 United States Attorney
 2 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 3 MELISSA K. B. SLADDEN (CSBN 203307)
 Assistant United States Attorney

4 450 Golden Gate Avenue, Box 36055
 5 San Francisco, California 94102-3495
 Telephone: (415) 436-6962
 6 FAX: (415) 436-6748
 melissa.sladden@usdoj.gov

7 Attorneys for Defendants

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

12	IN SUK KIM,)	No. C-10-2101 CW
13)	
14	Plaintiff,)	STIPULATION AND [PROPOSED]
15)	ORDER TO SHORTEN TIME
16	v.)	
17	THOMAS J. VILSACK, SECRETARY OF)	
18	UNITED STATES DEPARTMENT OF)	
	AGRICULTURE)	
	Defendant.)	

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

22 WHEREAS, pursuant to the Court’s Pretrial Order dated August 24, 2010 (“Pretrial
 23 Order”), the parties are requires the parties to file and serve pretrial submissions as described in
 24 Paragraph 3 (a) through (j) on January 4, 2012;

25 WHEREAS, the pretrial conference in this matter is scheduled for January 18, 2012;

26 WHEREAS, trial in this matter is set to begin on January 30, 2012;

27 WHEREAS, the Defendant’s motion for summary judgment is pending and such motion
 28 may dispose of the action or significantly narrow the issues for trial;

1 WHEREAS, the Defendant will file a Motion to Modify Pretrial Schedule and Vacate
2 Trial Date Pursuant to L.R. 6-3 and 16-2 (D) and Memorandum of Points and Authorities in
3 Support Thereof to be heard on shortened time;

4 WHEREAS, the Plaintiff will oppose such a request;

5 ACCORDINGLY, the parties stipulate to and request the following briefing schedule:

6 On December 19, 2011, Plaintiff shall file and serve any opposition to the Defendant's
7 Motion to Modify Pretrial Schedule and Vacate Trial Date Pursuant to L.R. 6-3 and 16-2 (D); the
8 Defendant shall file and serve any reply memorandum December 20, 2011, and the hearing on
9 the Defendant's motion shall be held on December 22, 2011, at 2:00 p.m..

10 So Stipulated.

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12 DATED: December 14, 2011

Respectfully submitted,

13 MELINDA HAAG
14 United States Attorney

/s/ Melissa Sladden

15 _____
16 MELISSA BROWN SLADDEN
Assistant United States Attorney

17 DATED: December 14, 2011

18 RICHARD ROGERS
19 Law Office of Richard M. Rogers

/s/ Richard Rogers

20 _____
21 RICHARD M. ROGERS
22 Attorney for the Plaintiff
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~~PROPOSED~~ ORDER

Pursuant to the stipulation of the parties, the following briefing schedule shall govern the Defendant's Motion to Modify the Pretrial Schedule and Vacate the Trial Date. On December 19, 2011, Plaintiff shall file and serve any opposition to the Defendant's Motion to Modify Pretrial Schedule and Vacate Trial Date Pursuant to L.R. 6-3 and 16-2 (D); The Defendant shall file and serve any reply memorandum December 20, 2011, and the motion will be decided on the papers.

IT IS SO ORDERED

Dated: 12/15/2011


CLAUDIA WILKEN
United States District Court Judge