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 7 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

8 YVETTE FELARCA, et al.

CASE NO.: 4:11-cv-05719-YGR

9 Plaintiffs,

STIPULATION AND *MODIFIED*
ORDER TO REVISE CASE
SCHEDULE

10 vs.

11 ROBERT J. BIRGENEAU, et al.,

Date: November 20, 2012

Time: 2:00 p.m.

Ctrm: TBD

Judge: Hon. Yvonne Gonzalez Rogers

12 Defendants.
 13 _____

14 The parties, by and through their respective counsel, stipulate as follows:

15 **I. RECITALS**

16 1. On October 17, 2012, this Court ordered the following schedule for this case, per the
 17 parties' stipulation, which was entered at the request of the plaintiffs:

18 i. Oppositions to motions filed in response to the Amended Complaint were
 19 due on October 23, 2012.

20 ii. Replies to oppositions to motions filed in response to the Amended
 21 Complaint are due on November 6, 2012.

22 iii. Hearings on any motions filed in response to the Amended Complaint
 23 shall take place on Tuesday, November 20, 2012, at 2 p.m.

24 iv. The Case Management Conference is set for December 3, 2012.

- 1 2. This was the second postponement of the current proceedings. The hearing on motions
2 filed in response to the Amended Complaint had previously been scheduled for
3 November 13, 2012, and the Case Management Conference (CMC) had previously been
4 scheduled for September 10, 2012.
- 5 3. Counsel for plaintiffs have requested that defendants stipulate to a rescheduling of the
6 November 20 hearings and the December 3 Initial Case Management Conference.
7 Plaintiffs' lead counsel, Shanta Driver, has been invited to speak at an international
8 conference in London November 21, 2012, the day after the current hearing date for
9 motions responding to the Amended Complaint. She also will prepare for and appear at
10 an immigration hearing in London that week.
- 11 4. The motions to dismiss, if granted, would narrow the issues of this case before the Case
12 Management Conference.
- 13 5. Counsel for the parties have agreed to stipulate to the following briefing schedule, subject
14 to the Court's approval: any replies to oppositions to motions would be due November
15 13, 2012. (Previously, the Court granted an extension that provided plaintiffs an
16 additional week to prepare their oppositions; this date change would similarly give
17 defendants an additional week to prepare their replies.)
- 18 6. The attorneys have consulted and determined that we are all jointly available on
19 December 4, 2012 for the hearing on motions to dismiss.
- 20 7. The attorneys have consulted and determined that we are all jointly available on
21 December 17, 2012, or a later Monday, for the Initial Case Management Conference.
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23 **II. STIPULATION**
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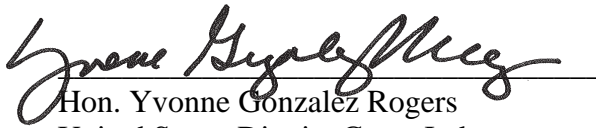
By _____
RUSSELL M. PERRY
Attorneys for Defendants
OFFICER N. HERNANDEZ, OFFICER
LACHLER and DETECTIVE RICK FLORENDO

The Hearing on the Defendants' Motions to Dismiss is **CONTINUED** from November 20,
2012 to **December 11, 2012**.

The Case Management Conference is **CONTINUED** from December 3, 2012 to **February
11, 2013**.

PURSUANT TO STIPULATION, AS MODIFIED, IT IS SO ORDERED.

Dated: October 31, 2012



Hon. Yvonne Gonzalez Rogers
United States District Court Judge