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19 Attorneys for Defendant HOME DEPOT U.S.A., INC.

20 UNITED STATES DISTRICT COURT  
21 FOR THE NORTHERN DISTRICT OF CALIFORNIA

22 MIGUEL LOTA,

23 Plaintiff,

24 vs.

25 HOME DEPOT U.S.A., INC., and  
26 DOES 1 through 20,

27 Defendants.

28 Case No.: C 11-05777 YGR LB

STIPULATED REQUEST TO  
EXTEND TIME FOR SUBMISSION  
OF BRIEFS PURSUANT TO ORDER  
RE FURTHER SUBMISSIONS IN  
SUPPORT OF PETITION FOR  
APPOINTMENT OF GUARDIAN  
AD LITEM (ECF 27)

Plaintiff MIGUEL LOTA and Defendant HOME DEPOT U.S.A., INC., through their respective counsel, submit this stipulated joint request to again extend the time for submission of briefs and materials in further support of or opposition to the pending Petition For Appointment of Guardian Ad Litem in the herein case. Good cause exists for the requested extension for the reasons set forth below.

1. Plaintiff filed a Petition For Appointment of Guardian Ad Litem on April 15, 2012. (ECF 19) On April 23, 2012, the court referred the matter to Magistrate Judge Laurel

1 Beeler. (ECF 24) On May 2, 2012, Magistrate Beeler ordered Plaintiff to submit a brief and  
2 additional declaration(s) setting forth certain additional information by May 18, 2012. The  
3 order also permitted Defendant to respond if it wished to do so on May 25, 2012. (ECF 27)

4 2. On May 17, 2012, Magistrate Beeler extended the dates for submission of  
5 briefs and additional declaration(s) to May 25, 2012 for Plaintiff and to June 1, 2012 for  
6 Defendant, if it wished to respond. The parties here agree to again extend the dates for the  
7 reasons set forth herein.

8 3. Plaintiff represents that some or all of the information that Plaintiff intends to  
9 submit is private and confidential and should, in order to protect Plaintiff and his family from  
10 unnecessary intrusions on their privacy, only be submitted to the court pursuant to the  
11 provisions of an appropriately worded protective order. Certain of that information resides in  
12 employment related records which Plaintiff has supplied to Defendant.

13 4. The parties anticipated the need for a protective order and have submitted a  
14 stipulation for the entry of an agreed protective order to the court. (ECF 29) The parties  
15 anticipate that the court will issue the protective order but agree that the time for Plaintiff's  
16 further submissions should be extended for a period of five (5) court days after the issuance of  
17 either the protective order the parties have submitted or another of the Court's choosing. The  
18 parties also agree to extend the time for Defendant's responsive submission to a date seven (7)  
19 court days after the submission of Plaintiff's brief and additional declaration(s).

20 IT IS SO STIPULATED.

21 Dated: May 23, 2012

22 LAW OFFICES OF VICTOR C. THUESEN

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25 By: /s/ Victor C. Thuesen  
VICTOR C. THUESEN  
Attorney for Plaintiff Miguel Lota

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1 Dated: May 23, 2012

2 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

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4 By: /s/ John G. Lee  
5 Attorneys for Defendant  
6 THE HOME DEPOT U.S.A., INC.

7 ATTESTATION PURSUANT TO GENERAL ORDER 45

8 I, Victor C. Thuesen, attest that concurrence in the filing of this document has been  
9 obtained from counsel to Defendant.

10 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
11 May 23, 2012 at Petaluma, California.

12 ~~(PROPOSED)~~ ORDER

13 The Court adopts the Stipulation of the Parties and hereby extends the time for filing of  
14 Plaintiff's letter brief and declaration(s) to for a period of five (5) court days after the issuance  
15 of either the protective order the parties have submitted or another of the Court's choosing. The  
16 parties also agree to extend the time for Defendant's responsive submission to a date seven (7)  
17 court days after the submission of Plaintiff's brief and additional declaration(s).

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 Dated: **May 25, 2012**

20   
21 LAUREL BEELER  
22 United States Magistrate Judge  
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