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12 and R.R., a minor



13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

16 R.R., by and through his parent ROSLYN
RUCKER,

17 Plaintiffs,

18 vs.

19 OAKLAND UNIFIED SCHOOL DISTRICT;
20 and GARY YEE, Individually and in his
Capacity as Superintendent of the Oakland
21 Unified School District,

22 Defendants.

CASE NO. 4:13-cv-5069 (KAW)

**STIPULATED REQUEST FOR ORDER
CHANGING TIME (Civ. L.R. 6-2)**

*Filed Concurrently with Declaration of David
R. Mishook*

The Hon. Kandis A. Westmore

Trial Date: None Set

- 24 1. On December 12, 2013, Plaintiffs Filed their Motion/Request for Preliminary
25 Injunction to Enforce “Stay-Put” Provisions with this Court (“Stay-Put Motion”), DKT#26;
26 2. Plaintiffs noticed their Stay-Put Motion to be heard on January 16, 2014,
27 concurrently with Defendants’ Rule 12 Motion to Dismiss;
28 3. Pursuant to Civil Local Rule 7-3, the time for the filing of Defendants’ Opposition

4:13-cv-5069 (KAW)

1 to the Stay-Put Motion was December 26, 2013 and the time for the filing of Plaintiffs' Reply is
2 January 2, 2014;

3 4. On December 31, 2013, Defendants' counsel learned that he had mis-calendared
4 the date for the filing of Defendants' Opposition with this Court for January 2, 2014;

5 5. Upon learning of this mistake, Defendants' counsel contacted counsel for Plaintiffs
6 to seek a stipulated request for an order changing time pursuant to Civil Local Rule 6-2;

7 6. Plaintiffs' counsel graciously agreed with Defendants' request for a stipulation;

8 7. Neither party believes Plaintiffs to be prejudiced by this request for an order
9 changing time;

10 8. The parties desire to have their respective motions considered by this Court on
11 January 16, 2014, as previously calendared;

12 9. The parties, further, believe that any order changing time will still allow the Court
13 sufficient opportunity to consider the Plaintiffs' moving papers, Defendants' opposition and
14 Plaintiffs' reply.

15 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST AN
16 ORDER OF THE COURT THAT:

17 1. The time for filing of the Defendants' Opposition to Plaintiffs' Stay-Put Motion
18 will be December 31, 2013; and

19 2. The time for the filing of Plaintiffs' Reply in support of the Stay-Put Motion will be
20 January 6, 2014.

21 DATED: December 31, 2013

FAGEN FRIEDMAN & FULFROST, LLP

22 By: _____ /s/ David Mishook

23 David Mishook
24 Attorneys for OAKLAND UNIFIED SCHOOL
DISTRICT and GARY YEE

25 DATED: December 31, 2013

SF CHILDREN'S LAW

26 By: _____ /s/ Sheila Brogna

27 Sheila Brogna
28 Attorneys for R.R. and Roslyn Rucker

00319-00181/540032.1