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14
 15 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 16 **OAKLAND DIVISION**

17
 18 PARADISE UNIFIED SCHOOL
 DISTRICT, ET AL,

19 Appellants,

20 v.

21 FIRE VICTIM TRUST, ET AL,

22 Appellees.
 23
 24

Case No. 20-cv-05414 (HSG)

Bankruptcy Case No. 19-30088 (DM)

**JOINT STIPULATION
 AND ORDER SCHEDULING
 BRIEFING ON MOTION TO
 DISMISS APPEAL**

Judge: Hon. Haywood S. Gilliam, Jr.

1 Appellees, the Honorable John K. Trotter (Ret.), as trustee of the Fire Victim
2 Trust (the “**Trustee**”), and the Official Committee of Tort Claimants (the “**TCC**”),
3 and Appellants, Adventist Health System/West and Feather River Hospital d/b/a
4 Adventist Health Feather River (each a California nonprofit religious corporation);
5 Paradise Unified School District, Northern Recycling and Waste Services,
6 LLC/Northern Holdings, LLC, and Napa County Recycling & Waste Services,
7 LLC/Napa Recycling & Waste Services, LLC; and Comcast Cable Communications,
8 LLC and all affiliates, hereby stipulate as follows:

9 WHEREAS, the Trustee and the TCC filed the *Joint Motion of the Fire Victim*
10 *Trustee and the Official Committee of Tort Claimants to Dismiss as Moot the Appeal*
11 *of Paradise Unified School District, et al.* on October 2, 2020 (the “**Motion to**
12 **Dismiss**”) [Docket No. 26];

13 WHEREAS, the Motion to Dismiss is currently set to be heard on January 7,
14 2021, Appellants must file any response to the Motion to Dismiss by October 16,
15 2020, and Appellees must file any reply to Appellants’ response by October 23,
16 2020;

17 WHEREAS, the parties submitted a proposed *Joint Stipulation and Proposed*
18 *Order Scheduling Hearing On Motion To Dismiss Appeal* on October 7, 2020 (the
19 “**Proposed Stipulation**”) [Docket No. 29] seeking to schedule the hearing on the
20 Motion to Dismiss to be heard at the October 29, 2020 hearing along with three other
21 motions to dismiss filed by the Reorganized Debtors in connection with appeals
22 taken of the Confirmation Order, and scheduling a briefing schedule on the Motion
23 to Dismiss;

24 WHEREAS, the Court denied the proposed Stipulation on October 9, 2020
25 [Docket No. 30];

26 WHEREAS, the parties submit that a short extension of the current briefing
27 schedule in light of the current hearing date of January 7, 2021, would be appropriate

1 to ensure the most effective and efficient presentation of the issues for the Court's
2 consideration.

3 **IT IS HEREBY STIPULATED:**

4 1. Appellants must file any response to the Motion to Dismiss by October
5 30, 2020.

6 2. Appellees must file any reply to Appellants' response to the Motion to
7 Dismiss by November 20, 2020.

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DATED: October 13, 2020

BROWN RUDNICK LLP

By: /s/ David J. Molton

David J. Molton

Counsel to the Fire Victim Trustee

MACCONAGHY & BARNIER, PLC

By: /s/ John H. MacConaghy

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Craig Goldblatt

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By: /s/ Rebecca J. Winthrop

Rebecca J. Winthrop

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and Feather River Hospital d/b/a Adventist
Health Feather River*

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REED SMITH LLP

By: /s/ David E. Weiss
David E. Weiss

Attorneys for Paradise Unified School District, Northern Recycling and Waste Services, LLC/Northern Holdings, LLC and Napa County Recycling and Waste Services, LLC/ Napa Recycling and Waste Services, LLC

Pursuant to Local Rule 5-1(i)(3), I, David J. Molton, attest that concurrence in filing this document has been obtained from the other signatories.

Brown Rudnick LLP

/s/ David J. Molton
David J. Molton

ORDER


WHEREAS, on October [13], 2020, Appellees and Appellants filed the *Joint Stipulation and Proposed Order Scheduling Briefing on Motion to Dismiss* (the “**Stipulation**”) requesting a short extension of the briefing schedule on the Motion to Dismiss;

For the reasons set forth in the Stipulation, and good cause appearing therefor,

1. Appellants must file any response to the Motion to Dismiss by October 30, 2020.
2. Appellees must file any reply to Appellants’ response to the Motion to Dismiss by November 20, 2020.

IT IS SO ORDERED.

Dated: October 14, 2020


The Honorable Haywood S. Gilliam, Jr.
United States District Judge