

\*E-Filed 5/5/10\*

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 12 John Chiang and Richard J. Chivaro

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN JOSE DIVISION

17 AGNES SUEVER, ET AL.,

18 Plaintiffs,

19 vs.

20 JOHN CHIANG, ET AL.,

21 Defendants.

) No.: C 03-00156 RS

)  
 ) **STIPULATION AND [~~PROPOSED~~] ORDER**  
 ) **FOR TIMING AND PAGE LIMITS FOR**  
 ) **CROSS-MOTIONS FOR SUMMARY**  
 ) **JUDGMENT**

1 **STIPULATION**

2 Pursuant to Local Rule 7-11 and to the Court’s April 19, 2010 Order, defendants  
3 John Chiang and Richard J. Chivaro (“Defendants”) and plaintiffs Agnes W. Suever, Madonna Suever,  
4 Steve Tucker, Alexander Vondjidis, Richard W. Seitzinger and Jo-Ann S. Seitzinger, individually and  
5 as trustees for the Seitzinger Family Trust, Johnstone Whitley, Lynn Keith, Richard V. Valdes, and  
6 Tony Lee (collectively “Plaintiffs”) stipulate to the following. (The District Court’s April 19, 2010  
7 Order is attached and incorporated hereto as Exhibit A.)

8 Plaintiffs’ counsel is traveling out of the state during the week of June 28 through July  
9 5, 2010 and proposes, and defendants do not oppose, the following briefing schedule:

10 (1) Up to and including May 14, 2010 for Defendants to file their opening  
11 memorandum;

12 (2) Up to and including June 3, 2010 for Plaintiffs to file their opening memorandum  
13 and opposition;

14 (3) Up to and including June 23, 2010 for Defendants to file their opposition and reply;

15 (4) Up to and including July 5, 2010 for Plaintiffs to file their reply memorandum.

16 The hearing for cross-motions for summary judgment shall be set on July 19, 2010.

17 In the alternative, to permit the hearing to take place in the first half of July as specified  
18 in the Court’s April 19, 2010 order, defendants propose, and plaintiffs do not oppose, the following  
19 briefing schedule: Defendants will file their motion for summary judgment by May 14, 2010.  
20 Plaintiffs will file their combined opposition to defendants’ motion and plaintiffs’ cross motion for  
21 summary judgment by June 3, 2010. Defendants will file their combined reply brief and opposition to  
22 plaintiffs’ motion for summary judgment by June 23, 2010. Plaintiffs will file their reply brief by  
23 July 1, 2010. The hearing will take place on July 15, 2010.

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Respectfully submitted,

Dated: May 3, 2010

By: \_\_\_\_\_ /s/  
Margaret R. Prinzing  
REMCHO, JOHANSEN & PURCELL, LLP  
Attorney for Defendants John Chiang, et al.

Dated: May 3, 2010

By: \_\_\_\_\_ /s/  
William W. Palmer  
LAW OFFICES OF WILLIAM W. PALMER  
Attorney for Plaintiffs Agnes Suever, et al.

(00107068)

1 ~~PROPOSED~~ ORDER

2 PURSUANT TO THE PARTIES' STIPULATION AND APPLICATION, IT IS SO  
3 ORDERED THAT:

- 4 1. Up to and including May 14, 2010 for Defendants to file their opening  
5 memorandum;
- 6 2. Up to and including June 3, 2010 for Plaintiffs to file their opening  
7 memorandum, and opposition,
- 8 3. Up and including June 23, 2010 for Defendants to file their opposition and  
9 reply;
- 10 4. Up to and including July 1, 2010 for Plaintiffs to file their reply memorandum,  
11 .
- 12 5. The hearing for cross-motions for summary judgment shall be set on July 15,  
13 2010.

14 DATED: May 5, 2010

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17 THE HONORABLE RICHARD SEEBORG  
18 UNITED STATES DISTRICT COURT JUDGE  
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