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**\*ORDER E-FILED 2/6/2008\***

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9  
 10 UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

**(MODIFIED BY THE COURT)**

13 RICHARD TAYLOR, )  
 )  
 14 Plaintiff, )  
 )  
 15 vs. )  
 )  
 16 UNITED STATES OF AMERICA, )  
 UNITED STATES AIR FORCE, and )  
 17 DOES 1 TO 500, inclusive, )  
 )  
 18 Defendants. )  
 \_\_\_\_\_ )

CASE NO. C 03-00604-HRL  
 THE PARTIES' STIPULATION FOR A  
 EXTENSION OF TIME FOR PLAINTIFF  
 TO FILE HIS OPPOSITION TO GOVT'S  
 MOTION FOR SUMMARY JUDGMENT  
 AND CORRESPONDING ADJUSTMENT  
 FOR THE FILING OF THE REPLY, WITH  
PROPOSED ORDER RE SAME.  
 Date of Hearing: February 26, 2008  
 Time: 9:00 a.m.  
 Mag.-Judge: Hon. Howard R. Lloyd

20 Plaintiff Richard Taylor, through his counsel Jerry Y. Fong and William Burns, and  
 21 Defendant United States of America, through its counsel Claire T. Cormier, hereby jointly stipulate  
 22 to request that the Court grant an extension of Plaintiff's time to file his Opposition to the pending  
 23 Motion by the Government for Summary Judgment (scheduled to be heard on February 26, 2008 at  
 24 9:00 a.m.), from February 5, 2008 to February 8, 2008 and, correspondingly, the time for the  
 25 Government to file its reply from February 12, 2008 to February 15, 2008. The hearing shall remain  
 26 on February 26, 2008.

27 This stipulation is made on the request of Plaintiff's counsel because they had mistakenly  
 28 believed that Plaintiff's Opposition is due two weeks before the hearing (on February 12, 2008), not

1 the actual date of February 5, 2008. Plaintiff's attorneys believe that they will be able to file their  
2 opposition by Friday, February 8, 2008. To ensure that the Government will not be prejudiced by  
3 this extension of time, the parties also request that the Court grant a corresponding extension of time  
4 for the Government to file its reply, from February 12, 2008 to February 15, 2008.

5 There has not been any prior application for the extension of time for filings in connection  
6 with the present motion for summary judgment. The parties believe that no additional scheduled  
7 matter will be affected by this request.

8 It is so stipulated.

9 DATED:

Respectfully submitted,

10 /S/

11 by JERRY Y. FONG, Attorneys for  
12 Plaintiff RICHARD TAYLOR

13 DATED: February 5, 2008

Respectfully submitted,

14 JOSEPH P. RUSSONIELLO  
15 UNITED STATES ATTORNEY

16 /S/

17 by CLAIRE T. CORMIER,  
18 Assistant United States Attorney,  
19 Attorney for Defendant United States of America

20 ORDER

21 Pursuant to the parties' stipulation and good cause appearing herein, it is hereby ordered that  
22 the Plaintiff's time to file his Opposition to the pending Motion for Summary Judgment shall be  
23 extended to (and including) February 8, 2008 and that the Defendant's time to file its Reply shall  
24 be extended (and including) February 15, 2008. The hearing for the motion for summary judgment  
25 **is continued to March 4, 2008, 10:00 a.m.**  
~~shall remain on February 26, 2008 at 9:00 a.m.~~ It is so ordered.

26 DATED: February 6, 2008

27   
28 MAGISTRATE-JUDGE OF THE UNITED  
STATES DISTRICT COURT