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7 Attorneys for Defendant
 8 Secretary of U. S. Dept. of
 Health and Human Services

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

13 MICHAEL A. DESANTIS, an individual;
 and RICHARD J. DESANTIS, an
 14 individual

15 Plaintiffs,

16 v.

17 SECRETARY OF THE U.S.
 DEPARTMENT OF HEALTH AND
 18 HUMAN SERVICES

19 Defendant.

Case No. C 07-03564 RMW (HRL)

20 **STIPULATION AND []
 ORDER CONTINUING DEADLINES RE
 MOTION TO DISMISS**

21 Plaintiffs Michael and Richard DeSantis have recently retained counsel for this case. A
 22 Notice of Appearance was filed on March 2, 2010. Through previous stipulations and orders,
 23 this case was stayed through March 1, 2010, and the deadlines for plaintiffs' opposition to
 24 defendant's motion to dismiss and defendant's optional reply were extended to March 8, 2010,
 25 and March 15, 2010, respectively. In order to allow reasonable time for plaintiffs' new counsel
 26 to respond to defendant's motion, and due to other scheduling issues, the parties HEREBY
 27 STIPULATE AND REQUEST that the deadline for plaintiffs' opposition to defendant's motion
 28 to dismiss be extended to March 15, 2010, and the deadline for defendant's reply memorandum

1 be extended to March 29, 2010. As with the previous orders in this case, if any parties wish to
2 have a hearing on the motion, they shall make a request to the Court. Otherwise the motion to
3 dismiss will be deemed submitted on the papers.

4 Respectfully submitted,

5 DATED: March 2, 2010

JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Claire T. Cormier

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8 CLAIRE T. CORMIER^{1/}
Assistant United States Attorney

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10 DATED: March 2, 2010

HOGAN HOLMES & USOZ LLP

11 /s/ Leslie Holmes

12 LESLIE HOLMES,
Attorneys for Plaintiffs

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14 **XXXXXXXXX ORDER**

15 Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY
16 ORDERED that plaintiffs' opposition to defendant's motion to dismiss shall be due on or before
17 March 15, 2010, and defendant's optional reply shall be due on or before March 29, 2010. If
18 any parties wish to have a hearing on the motion, they shall make a request to the Court.
19 Otherwise, the motion will be deemed submitted on the papers.

20 IT IS SO ORDERED.

21
22 DATED: 4/15, 2010

23 
24 RONALD M. WHYTE
UNITED STATES DISTRICT COURT JUDGE

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26
27
28 ^{1/} I, Claire T. Cormier, hereby attest that I have on file all holograph signatures for any
signatures indicated by a "conformed" signature (/s/) within this e-filed document.