

1 MELINDA HAAG (CSBN 132612)
 United States Attorney
 2 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 3 CLAIRE T. CORMIER (CSBN 154364)
 Assistant United States Attorney

4 150 Almaden Blvd., Suite 900
 5 San Jose, California 95113
 Telephone: (408) 535-5082
 6 FAX: (408) 535-5081
 Claire.Cormier@usdoj.gov

E-FILED - 1/25/11

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 [XXXXXXXXXX]
 ORDER SETTING BRIEFING
 SCHEDULE**

21 Upon stipulation of the parties, the Court ordered a briefing schedule for this case on
 22 October 13, 2010. Due in part to the size of the administrative record in this case (over 1,500
 23 pages), defendant requested and plaintiffs have agreed to additional time for the defendant's
 24 opposition and/or cross motion, which was previously due on December 20, 2010. Accordingly,
 25 the parties hereby STIPULATE AND REQUEST that the remainder of the briefing schedule be
 26 modified as follows:

27 Defendant will file an opposition and/or cross motion no later than January 10, 2011.

28 Plaintiff will file a reply/opposition to cross-motion no later than January 31, 2011.

1 If defendant filed a cross-motion, defendant may file an optional reply no later than
2 February 14, 2011.

3 The motion(s) will be deemed submitted on the papers. There will be no hearing unless
4 the Court orders otherwise.

5 Respectfully submitted,

6 DATED: December 17, 2010

MELINDA HAAG
United States Attorney

/s/ Claire T. Cormier

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

10
11 DATED: December 17, 2010

HOGAN HOLMES & USOZ LLP

12 /s/ Leslie Holmes

13 LESLIE HOLMES,
14 Attorneys for Plaintiffs

15 XXXXXXXXXXXX ORDER

16 Pursuant to the stipulation of the parties and good cause appearing, IT IS SO
17 ORDERED.

18
19 DATED: 1/25/11, xxxxxx

20 
21 RONALD M. WHYTE
22 UNITED STATES DISTRICT COURT JUDGE

23
24
25
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.