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7 Attorneys for COUNTY OF MONTEREY

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

12 DAN MITCHELL, acting for himself and
 others similarly situated,
 13
 Plaintiffs,
 14
 v.
 15 COUNTY OF MONTEREY,
 16
 Defendant.
 17 _____/

CASE NO.: C08-01166 JW

**STIPULATION AND ORDER TO
 REMOVE INCORRECTLY FILED
 DOCUMENTS [EXHIBITS] RELATING
 TO COUNTY OF MONTEREY'S
 OPPOSITION TO MOTION FOR
 SUMMARY JUDGMENT AND/OR
 PARTIAL SUMMARY JUDGMENT**

Hearing Date: January 31, 2011
 Time: 9:00 a.m.
 Courtroom: 8
 Judge: Hon. James Ware

Trial Date: March 22, 2011

20 Defendant, COUNTY OF MONTEREY, by and through their attorney of record herein,
 21 and Plaintiffs, DAN MITCHELL, et al, by and through their attorneys of record, stipulate as
 22 follows:

- 23 1. The above-referenced action is set for Summary Judgment or Partial Summary
 24 Judgment on January 31, 2011.
- 25 2. On December 27, 2010, Defendant and Plaintiffs e-filed their Motions for Summary
 26 Judgment.
 27

1 3. On January 10, 2011, Defendant, County of Monterey, e-filed their Opposition to
2 Plaintiffs' Motions for Summary Judgment or Partial Summary Judgment.

3 4. Nine of the exhibits e-filed by Defendant contained information of a personal nature
4 which included social security numbers and dates of birth.

5 5. On January 11, 2011, at approximately 9:00 a.m., this office contacted ECF help line
6 and blocked the following exhibits: *Exhibit 300053, 300054, 300055, 300056, 300057, 300062,*
7 *300063, 300064 and 300065.*

8 6. These exhibits were either attached to or included in docket #140 and #141.

9 7. The parties stipulate and agree to permanently remove the blocked exhibits from the
10 record.

11 Dated: January 12, 2011

Respectfully submitted,
CHARLES J. MCKEE,
County Counsel

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15 By: /s/ William K. Rentz
WILLIAM K. RENTZ,
ATTORNEYS FOR COUNTY OF
16 MONTEREY

17 Dated: January 12, 2011

MASTAGNI HOLSTEDT AMICK
MILLER & JOHNSEN

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21 By: /s/ David E. Mastagni
DAVID E. MASTAGNI,
ISAAC STEVENS,
22 ATTORNEYS FOR PLAINTIFFS,
DAN MITCHELL, et al

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ORDER

GOOD CAUSE APPEARING, IT IS ORDERED:

The stipulation filed and agreed to by Defendant, County of Monterey and Plaintiffs, Dan Mitchell, et al, requesting the exhibits filed on January 10, 2011, *Exhibit 300053, 300054, 300055, 300056, 300057, 300062, 300063, 300064 and 300065*, referenced as docket #140 and #141, be permanently removed from the record

DATED: January 14, 2011



JAMES WARE
United States District Chief Judge