

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
 United States Attorney
 2 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 3 CLAIRE T. CORMIER (CSBN 154364)
 Assistant United States Attorney

E-FILED 12/1/08

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

7 Attorneys for Federal Defendants

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

12 Mohamed Abouelhassan,)	Case No. C 08-03774 RS
13 Plaintiff,)	STIPULATION AND PROPOSED ORDER EXTENDING TIME FOR RESPONSE TO COMPLAINT, CONSENTING TO MAGISTRATE, AND SCHEDULING CASE MANAGEMENT CONFERENCE
14 v.)	
15 United States, et al.,)	
16 Defendants.)	
17)	

18 The parties to this action, through their counsel of record, hereby stipulate that defendants
 19 may have an extension of time to and including December 30, 2008, to answer, move, or
 20 otherwise respond to the complaint. Defendants currently anticipate filing a motion to dismiss.

21 In addition, in accordance with the provisions of Title 28, U.S.C. Section 636(c), all
 22 parties hereby voluntarily consent to have a United States Magistrate Judge conduct any and all
 23 further proceedings in this case, including trial, and order the entry of a final judgment. Appeal
 24 from the judgment shall be taken directly to the United States Court of Appeals for the Ninth
 25 Circuit.

26 This case was recently deemed related to a previously filed case, *Mohamed*
 27 *Abouelhassan v. Allison, et al.*, Case No. C07-4038 RS, which has been stayed. Accordingly, the
 28 previously scheduled case management conference was vacated. The parties request that the

1 initial case management conference for the instant case be scheduled in approximately 120 days
2 to allow for a hearing on defendants' expected motion to dismiss.

3 IT IS SO STIPULATED.

4
5 DATED: November 26, 2008

Respectfully submitted,

6 JOSEPH P. RUSSONIELLO
United States Attorney

7 /s/ Claire T. Cormier¹

8

CLAIRE T. CORMIER
Assistant United States Attorney

9
10 DATED: November 25, 2008

11 /s/ Mark Malachowski

12

MARK MALACHOWSKI
Attorney for Plaintiff

13
14 **~~[PROPOSED]~~ ORDER**

15 Pursuant to the stipulation of the parties, the deadline for defendants to answer, move, or
16 otherwise respond to plaintiff's complaint is extended to December 30, 2008. The initial case
17 management conference will take place on April 1, 2009 at 2:30 p.m.
18 A Joint Case Management Statement is due seven calendar days before the conference.

19 IT IS SO ORDERED.

20
21
22 DATED: December 1, 2008

23 

RICHARD SEEBORG
UNITED STATES MAGISTRATE JUDGE

24
25
26
27
28 ¹ I, Claire T. Cormier, hereby attest that I have on file all holographic signatures for any
signatures indicated by a "conformed" signature (/s/) within this e-filed document.