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 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 SANTA CLARA VALLEY HOUSING
 GROUP, INC. and KRISTEN M. BOWES,

CASE NO. 08-cv-05097-JF

13 Plaintiffs,

**JOINT STIPULATION TO
 CONTINUE HEARING DATE FOR
 DISPOSITIVE MOTIONS, AND
 [PROPOSED] ORDER**

14 v.

15
 16 UNITED STATES OF AMERICA

17 Defendant.

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 20 Plaintiffs SANTA CLARA VALLEY HOUSING GROUP, INC. (“SCVHG”), and
 21 KRISTEN M. BOWES (“Bowes”) (collectively referred to as “Plaintiffs”), and defendant
 22 UNITED STATES OF AMERICA (“United States”), by and through their attorneys, hereby
 23 stipulate as follows:

24 1. On February 14, 2011, the parties filed Cross-Motions for Summary (or Partial
 25 Summary) Judgment. Both Plaintiffs filed separate Motions for Summary Judgment: SCVHG
 26 (Doc. # 70) and Bowes (Doc # 71). The United States filed a Motion for Summary Adjudication
 27 of Issues (Doc # 67).

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1 2. Prior to the hearing on the Cross-Motions, on February 23, 2011, this action was
2 reassigned to the Honorable Judge Jeremy Fogel for all further proceedings. *See* Reassignment
3 Order (Doc. # 74).

4 3. On April 4, 2011, the parties filed a stipulation and proposed order to re-notice the
5 cross-motions, establish a briefing schedule regarding the motions to include a hearing date of
6 June 10, 2011, and to request that the matter be re-referred to Magistrate Judge Lloyd for
7 purposes of holding a settlement conference (Doc. #76). On April 13, 2011, the Court granted
8 the parties' request.

9 4. On April 15, 2011, a Case Management Conference was held before the Court
10 during which the Court requested that if the parties were unable to schedule the settlement
11 conference prior to the June 10, 2011 hearing date on the cross-motions, that the parties inform
12 the Court.

13 5. Due to the parties' and Magistrate Judge Lloyd's availability, the settlement
14 conference could not be set prior to the current June 10, 2011 hearing date on the cross-motions.
15 The settlement conference with Magistrate Judge Lloyd has been set for June 15, 2011.

16 6. Because this action arises out of a complicated tax transaction, the parties suggest
17 that it would be appropriate for the Court to set aside one (1) hour for oral argument. Thus, the
18 parties propose that the hearing on the cross-motions set for June 10, 2011 at 9:00 a.m. be
19 continued to a special hearing on July 21, 2011 at 1:30 p.m.

20 7. On April 22, 2011, the parties filed their respective Oppositions to the pending
21 dispositive motions (United States' Oppositions, Docs. #79 and #80; Plaintiff SCVHG's
22 Opposition, Doc. #84). The parties will file any Reply Briefs by the existing deadline of May 13,
23 2011 to provide the Court with time to review the Motions in the event this matter does not settle
24 prior to the hearing.

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