

1 DANA McRAE, State Bar No. 142231
 County Counsel, County of Santa Cruz
 2 JASON M. HEATH, State Bar No. 180501
 Assistant County Counsel
 3 701 Ocean Street, Room 505
 Santa Cruz, California 95060
 4 Telephone: (831) 454-2049
 Fax: (831) 454-2115
 5

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6 **Attorneys for Defendants Bob Lee and
 Kelly J. Walker**
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
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<p>11 HEAT SURGE, LLC, et al., 12 Plaintiffs, 13 v. 14 BOB LEE, in his official capacity as District 15 Attorney for Santa Cruz County, California, et al., 16 Defendants. 17</p>	<p>Case No. C09-00572 JF STIPULATION TO VACATE AND CONTINUE CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER</p>
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 19 **STIPULATION**

20 The next case management conference in this case is scheduled for March 12, 2010. The
 21 case is currently stayed. The parties have no new information to report to the Court and request that
 22 the case management conference be vacated and continued for six months while the pending state
 23 action continues to be adjudicated.

24 Dated: March 3, 2010

DANA McRAE, COUNTY COUNSEL

25 By: _____ /S/

26 JASON M. HEATH
 Assistant County Counsel
 27 **Attorneys for Defendants Bob Lee and
 Kelly J. Walker**
 28

1 Dated: March 3, 2010

CARTER LEDYARD & MILBURN, LLP

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3 By: _____/S/_____

THEODORE ALLEGAERT

Attorneys for Plaintiffs

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6 **PROPOSED ORDER**

7 For good cause shown, the March 12, 2010 case management conference in this case is
8 vacated, and a new case management conference is scheduled for September 10, 2010 at 10:30 a.m.

9 IT IS SO ORDERED.

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12 Dated: 3/10/2010

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HON. JEREMY FOGEL
UNITED STATES DISTRICT JUDGE