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18
 19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN JOSE DIVISION

22 VIVIAN FIORI, and ROGGIE TRUJILLO,)
)
 23 Plaintiffs,)
)
 24 v.)
)
 25 DELL INC., et al.,)
)
 26 Defendants.)
)
 27 _____)
)

Case No. 5:09-CV-01518 JW
STIPULATION AND [PROPOSED] ORDER
 FINDING AS MOOT DEFENDANTS REQUEST FOR
 EXTENSION OF TIME TO FILE REPLY BRIEFS IN
 SUPPORT OF MOTIONS TO DISMISS

1 Pursuant to Civ. L. R. 6-2 the parties, by their undersigned counsel, hereby stipulate, subject to
2 court approval, that Defendants may file and serve their Reply briefs in support of their Motions to
3 Dismiss on September 8, 2009 and in support of this stipulation state as follows: The hearing on
4 Defendants' Motions to Dismiss is currently set on September 21, 2009. Under the Court's Civil Local
5 Rules Defendants' Reply brief in support of that motion would normally be due September 7, 2009,
6 which is 14 days before the hearing. However, September 7 is the Labor Day holiday. The parties
7 therefore agree, subject to the Court's approval, that Defendants' Reply may be filed on September 8,
8 2009. The Court order rescheduling the hearing on the Motion to Dismiss from September 14, 2009 to
9 September 21, 2009 is the only previous modification of time in this case, and this modification will
10 have no effect on the schedule in this matter, which has not yet been adopted.

11 Respectfully Submitted,

12 Dated: September 3, 2009

ALSTON + BIRD LLP

13
14 By: /s/ Sean P. DeBruine
Sean P. DeBruine

15 Attorneys for Defendants
16 DELL, INC. et al.

17
18 Dated: September 3, 2009

STRANGE & CARPENTER


19
20 By: /s/ Gretchen Carpenter
Gretchen Carpenter

21 Attorneys for Plaintiffs
22 VIVIAN FIORI, and ROGGIE TRUJILLO
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24 PURSUANT TO STIPULATION IT IS SO ORDERED:

25 The Court finds the stipulation is MOOT. The reply briefs were filed as stipulated by the parties on September 8,
26 2009

27 Dated: September 21, 2009

28 

Hon. James Ware
U.S. District Court Judge

1 **FILER'S ATTESTATION**

2 Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Sean P.
3 DeBruine, attest that concurrence in the filing of this document has been obtained from Gretchen
4 Carpenter.

5
6 /s/ Sean P. DeBruine

7 Sean P. DeBruine

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11 #31493990