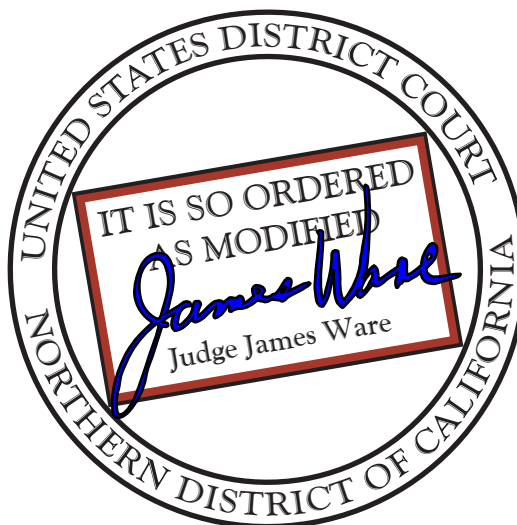


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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 RABBIA ALHOZBUR,)
 14 Plaintiff,)
 15 v.)
 16 JOHN McHUGH, Secretary of the Army,)
 17 Defendant.)

No. C 09-1576 JW

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING PRELIMINARY
 PRETRIAL CONFERENCE**

19 This case is schedule for a preliminary pretrial conference on Monday, June 28, 2010.
 20 After the scheduling order was issued by the Court, an additional Assistant United States
 21 Attorney was assigned to the case, due to the transfer of the case to the San Jose Division of this
 22 Court. AUSA Claire Cormier has a family reunion in Yosemite National Park scheduled the
 23 week of June 28, 2010. Accordingly, the parties STIPULATE AND REQUEST that the
 24 preliminary pretrial conference be rescheduled to July 12, 2010, or another date that is acceptable
 25 to the Court and the parties.

27 ¹ Pursuant to 42 U.S.C. § 2000e-16 and Rule 25(d) of the Federal Rules of Civil
 28 Procedure, John McHugh should be substituted for his predecessor, Pete Geren, as Secretary of
 the Army.

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Respectfully submitted,
JOSEPH P. RUSSONIELLO
United States Attorney

/s/ Claire T. Cormier

Dated: February 3, 2010

CLAIRE T. CORMIER²
Assistant United States Attorney

BROWNSTEIN THOMAS LLP

/s/ Mark C. Thomas

Dated: February 3, 2010

MARK C. THOMAS
Attorney for Plaintiff

James Ware
[PROPOSED] ORDER

Pursuant to the stipulation of the parties and good cause appearing, the preliminary pretrial conference for this case, previously scheduled for June 28, 2010, is hereby advanced to **June 21, 2010 at 11:00 AM**. The parties are to file their joint preliminary pretrial conference statement on or before **June 11, 2010**.

Dated: February 17, 2010

James Ware

JAMES WARE
UNITED STATES DISTRICT COURT JUDGE

² 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.