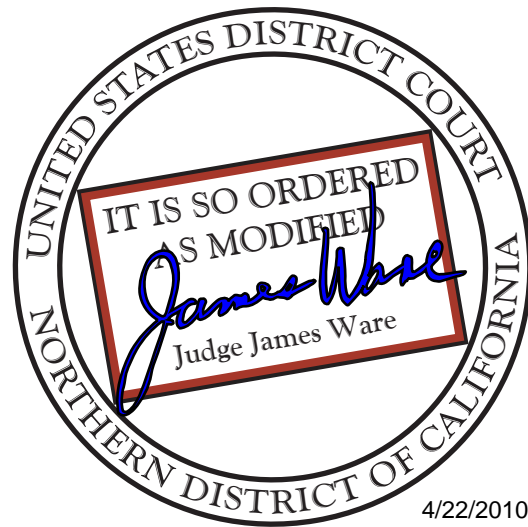


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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE BRANCH

14 SAMI HAMADE

15 Plaintiff,

16 V.

17 THE ABBOTT SEVERANCE PAY PLAN
18 FOR FORMER U.S. GUIDANT
19 EMPLOYEES, 2006 EDITION,

20 Defendant.

Case No.: C09-01873 JW

**STIPULATION REGARDING
EXTENSION OF TIME FOR HEARING
DATE ON CROSS-MOTIONS FOR
SUMMARY JUDGMENT AND
[PROPOSED] ORDER**

Date Action Filed: April 29, 2009

21 This Stipulation is entered into by and among Plaintiff, Sami Hamade (“Plaintiff”), and
22 Defendant, The Abbott Severance Pay Plan for Former U.S. Guidant Employees, 2006 Edition
23 (the “Plan”) (collectively the “Parties”), through their respective attorneys of record.

24 WHEREAS, Local Civil Rule 6-2 allows the Parties to file a stipulation requesting an
25 order to extend the deadlines in a case. Pursuant to Local 6-2, the Parties submit the following
26 stipulation:

- 27 1. On October 1, 2009, the Court entered an Order in the above-referenced matter
28 setting a hearing date of April 19, 2010 on the Parties cross-motions for summary judgment

STIPULATION REGARDING EXTENSION OF DEADLINES

CASE NO. C09-01873 JW

1 based on the administrative record. This Order also stated that the deadlines for the motions
2 would in accordance with the Local Rules.

3 2. On August 11, 2009, the Court entered an Order selecting Early Neutral
4 Evaluation (“ENE”) as the preferred ADR process in this case and on November 20, 2009, this
5 Court entered an Order extending the ENE deadline to March 1, 2010.

6 3. On November 20, 2009 pursuant to stipulation between the Parties, the Court
7 Ordered the deadline to complete the ENE extended until March 1, 2010.

8 4. On January 29, 2010 pursuant to stipulation between the Parties, the Court entered
9 an Order extending the deadline for the Parties to complete the ENE until March 31, 2010. The
10 Court further Ordered the deadline to file cross-motions for summary judgment extended to May
11 5, 2010, the filing of responses to cross-motions for summary judgment to May 26, 2010 and the
12 filing of replies, if any, to cross-motions for summary judgment to June 2, 2010. The hearing
13 date was set for June 21, 2010 at 9:00 am.

14 5. On March 26, 2010 pursuant to stipulation between the Parties, the Court entered
15 an Order extending the date to complete the ENE to May 3, 2010.

16 6. Attorney for Plaintiff has encountered a conflict with the current schedule.
17 Specifically, Plaintiff’s attorney has a trial scheduled in Marin County Superior Court during the
18 current briefing schedule in addition to a long planned vacation. The Parties have been in
19 contact with the evaluator and plan to participate in the ENE prior to the May 3, 2010 date. The
20 Parties will continue to discuss settlement amongst themselves. Accordingly, the Parties
21 stipulate to, and ask the Court to enter, an Order extending the date to file cross-motions for
22 summary judgment and the hearing date as follows:

23 June 18, 2010	filing of cross-motions for summary judgment
24 July 9, 2010	filing of responses to cross-motions for summary judgment
25 July 16, 2010	filing of replies, if any, to cross-motions for summary judgment
26 Hearing date	To be set

1 IT IS THEREFORE HEREBY STIPULATED by and among the Parties that:

- 2 1. The deadline to file cross-motions for summary judgment is extended until June 18,
3 2010; responses extended to July 9, 2010; replies if any, are extended to July 16,
4 2010.
- 5 2. The hearing is set for September 27, 2010 at 9:00 AM.

6
7 Dated: _____, 2010

DELFINO GREEN & GREEN

8
9 By: _____
10 Attorneys for Plaintiff
SAMI HAMADE

11
12 Dated: _____, 2010

WINSTON & STRAWN LLP

13
14 By: _____
15 Attorneys for Defendant
16 THE ABBOTT SEVERANCE PAY PLAN
17 FOR FORMER US GUIDANT
18 EMPLOYEES, 2006 EDITION

19  **[PROPOSED] ORDER**

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 No further requests for extension shall be permitted.

22 Date: April 22, 2010

23 
24 HON. JAMES WARE
25 United States District Judge