

**** E-filed November 9, 2010 ****

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 25 (650) 462-1628

26 UNITED STATES DISTRICT COURT
 27 NORTHERN DISTRICT OF CALIFORNIA
 28 SAN JOSE DIVISION

29 FANG-YUH HSIEH,)
 30 Plaintiff,)
 31 v.)
 32 STANFORD UNIVERSITY; and ERIC K.)
 33 SHINSEKI, Secretary of the Department of)
 34 Veterans Affairs,)
 35 Defendants.)

No. C09-5455 HRL
**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE HEARING
 DATE ON PLAINTIFF'S MOTION FOR
 EXTENSION OF TIME TO
 COMPLETE DISCOVERY AND
 MOTION FOR LEAVE TO FILE A 4TH
 AMENDED COMPLAINT**

STIPULATION

On October 28, 2010, plaintiff, Fang-Yuh Hsieh, filed a Motion for Extension of Time to Complete Discovery and a Motion for Leave to File a 4th Amended Complaint (the "Motions") in the above-captioned matter. Plaintiff noticed the Motions for hearing on November 30, 2010 at

1 10:00 a.m. Defendants' counsel were not informed of the November 30, 2010 hearing date until
2 after the Motions were filed.

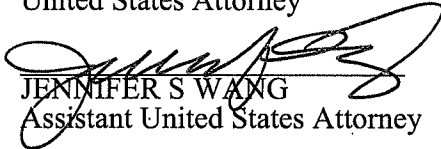
3 Subject to the Court's approval, the parties hereby agree and stipulate to continue the hearing
4 on the Motions to December 7, 2010 at 10:00 a.m. The continuance is needed because counsel
5 for the federal defendant, Eric Shinseki, has a previously scheduled mediation on November 30,
6 2010. That mediation is scheduled to begin at 9:30 a.m. in Oakland, California. Pursuant to
7 Civil Local Rule 7-4, defendants' opposition to the motions will be due on November 16, 2010,
8 twenty-one (21) days prior to the hearing date, and plaintiff's reply will be due on November 23,
9 2010, fourteen (14) days prior to the hearing date.

10 IT IS SO STIPULATED.

11 Respectfully submitted,

12 MELINDA HAAG
13 United States Attorney

14 Dated: November 8, 2010

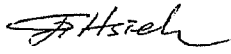
15 
16 JENNIFER S. WANG
17 Assistant United States Attorney

18 PILLSBURY WINTHROP SHAW PITTMAN LLP

19 Dated: November 8, 2010

20 SARAH FLANAGAN
21 Attorneys for Defendant Stanford University

22 Dated: November 8, 2010

23 
24 FANG-YUH HSIEH
25 Plaintiff, Pro Se

26 ~~PROPOSED~~ ORDER

27 Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that the hearing on plaintiff's
28 Motion for Extension of Time to Complete Discovery and Motion for Leave to File a 4th
29 Amended Complaint, currently scheduled for November 30, 2010 at 10:00 a.m., is continued to
30 December 7, 2010 at 10:00 a.m. The defendants' opposition to the motions will be due on
31 November 16, 2010, and the plaintiff's reply will be due on November 23, 2010.

32 Dated: November 9, 2010

33 
34 HOWARD G. LLOYD
35 UNITED STATES MAGISTRATE JUDGE

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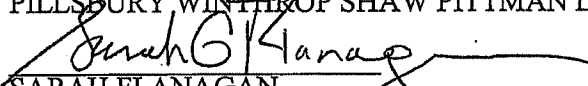
11 Respectfully submitted,

12 MELINDA HAAG
13 United States Attorney

14 Dated: November 8, 2010

JENNIFER S WANG
Assistant United States Attorney

16 Dated: November 8, 2010

17 PILLSBURY WINTHROP SHAW PITTMAN LLP

18 SARAH FLANAGAN
Attorneys for Defendant Stanford University

19 Dated: November 8, 2010

20 FANG-YUH HSIEH
21 Plaintiff, Pro Se

22 **[PROPOSED] ORDER**

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27 November 16, 2010, and the plaintiff's reply will be due on November 23, 2010.

28 Dated: _____

HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE