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4 Attorney for Plaintiff.

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 6 UNITED STATES DISTRICT COURT  
 7 NORTHERN DISTRICT OF CALIFORNIA  
 8 SAN JOSE DIVISION

9 HAMDAN FAYAD,  
 10 Plaintiff,

11 v.

12 CAROL KELLER,  
 JOSE SUB-OFFICE; ET AL.,  
 13 Defendants.

No. CV 10-3372 LHK  
 Alien No. 077-175-724

STIPULATION TO RESET HEARING  
 ON DEFENDANTS' MOTION FOR  
 SUMMARY JUDGMENT AND  
 PLAINTIFF'S CROSS MOTION FOR  
 SUMMARY JUDGMENT; ~~PROPOSED~~  
 ORDER

16 Plaintiffs, by and through their attorney of record, and Defendants, by and through their  
 17 attorneys of record, hereby stipulate, subject to the approval of the Court, to reset the hearing date  
 18 on Defendants' motion for summary judgment, and Plaintiff's cross motion for summary  
 19 judgment which is currently scheduled for February 24, 2011 at 1:30 p.m. This motion is made  
 20 on the following grounds:

21 1. On December 1, 2010, Defendants filed a motion for summary judgment, and  
 22 thereafter, a hearing on that motion was scheduled for February 24, 2011. On January 18, 2011,  
 23 Plaintiff filed a cross motion for summary judgment and Opposition to Defendants' Motion for  
 24 Summary Judgment.

25 2. Counsel for plaintiff, Mr. Robert Jobe, recently learned of an unexpected family  
 26 conflict that will require him to be away from the office on the date of the scheduled hearing.

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 28 Stipulation to Reset Hearing Date; ~~Proposed~~ Order  
 C 10-3372 LHK

1 Plaintiff's counsel contacted Mr. Glenn Girdharry, of the Office of Immigration Litigation, who  
2 agreed to continue the case until March 10, 2011, the first available Thursday motions calendar  
3 hearing date.

4 3. The parties hereby stipulate, subject to the approval of the Court, to reset the  
5 hearing date to March 10, 2011 at 1:30 p.m. Accordingly, the parties respectfully request that,  
6 pursuant to their stipulation, the Court reset the hearing date to March 10, 2011 at 1:30 p.m.

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8 Dated: February 4, 2011

Respectfully submitted,

9 /s/

10 ROBERT B. JOBE<sup>1</sup>  
11 Law Office of Robert B. Jobe  
Attorney for Plaintiffs

12 Dated: February 4, 2011

Glenn Girdharry

13 /s/ (with consent)

14 Glenn Girdharry  
15 Office of Immigration Litigation  
16 Attorney for Defendants

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<sup>1</sup> I, Robert B. Jobe, attest that both Glenn Girdharry and I have signed this document.

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~~PROPOSED~~ ORDER

Pursuant to stipulation, IT IS HEREBY ORDERED that the motions hearing is reset to Thursday, March 10, 2011 at 1:30 p.m.

IT IS SO ORDERED.

Dated: February 7, 2011

  
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LUCY H. KOH  
UNITED STATES DISTRICT JUDGE