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7 Attorneys for defendants COMCAST
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 8 CALIFORNIA/COLORADO, LLC

9
 10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 11 **OAKLAND DIVISION**

12
 13 CITY OF OAKLAND,

14 Plaintiff,

15 vs.

16 COMCAST CORPORATION, COMCAST
 OF CALIFORNIA/COLORADO, LLC and
 17 DOES 1 through 20, inclusive,

18 Defendants.

CASE NO. C065380 CW

**STIPULATION AND ORDER SETTING
 DATES FOR SECOND AMENDED
 COMPLAINT AND MOTION TO
 DISMISS SCHEDULE**

19
 20 Plaintiff City of Oakland and Defendants Comcast Corporation and Comcast of
 21 California/Colorado, LLC, pursuant to Local Rules 6.1(b) and 6.2, hereby stipulate to the
 22 following schedule and request a modification of the schedule set forth in the Court's February 14,
 23 2007 order on Defendants' Motion to Dismiss ("Order").

24 1. Whereas, the Court's Order had instructed Plaintiff to file its Second Amended
 25 Complaint within fourteen days from the date of the Order, for Defendants to file their response
 26 within twenty days, and for Defendants to notice its potential motion to dismiss for April 13, 2007,
 27 at which time the Court would also hold the initial case management conference.

1 2. Whereas, since the Court's Order was issued on February 14, 2007, the parties
2 cannot meet the April 13, 2007 hearing and case management deadline mandated in the Court's
3 Order as Local Civil Rule 7.2(a) requires that all motions be noticed at least thirty five days before
4 the hearing date. Added to the fourteen days for Plaintiff to file their Second Amended Complaint
5 and the twenty days for Defendants to file a response, the earliest hearing date would be April 27,
6 2007.

7 3. Whereas, Plaintiff has requested that Defendants grant a five day extension for
8 Plaintiff to file its second amended complaint because Plaintiff's lead counsel, Izetta Jackson, has
9 been called away from work to testify as a trial witness in the case of *Naidu v. California Public*
10 *Utilities Commission*, San Francisco Superior Court Case No. 05-444782. Consequently, Ms.
11 Jackson needs the additional five days in order to draft and prepare the amended complaint once
12 she has concluded her testimony.

13 4. Therefore, the parties request a one week extension past the April 27, 2007 hearing
14 date to May 4, 2007 and stipulate to the following revised schedule:

- 15 a. The Second Amended Complaint shall be filed on or before March 5, 2007.
- 16 b. Defendants' answer or Motion to Dismiss the Second Amended Complaint
17 shall be filed on or before March 26, 2007.
- 18 c. Plaintiff's opposition brief shall be filed on or before April 9, 2007.
- 19 d. Defendants' reply brief shall be filed on or before April 20, 2007.
- 20 e. The hearing on the Motion to Dismiss shall be held on May 4, 2007 at 1:30
21 p.m.
- 22 f. The initial case management conference shall also be held on May 11, 2007
23 at 1:30 p.m. consistent with the Court's Order that the hearing on any potential motion to
24 dismiss be held on the same day and time as the initial case management conference.

25 5. This schedule, combined with the rescheduling of the initial case management
26 conference, will not affect any other scheduled dates.

27
28

1 DATED: February 23, 2007

Respectfully submitted,

2 COOPER, WHITE & COOPER LLP

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4 By: Jie-Ming Chou
5 Jie-Ming Chou
6 Attorneys for defendants COMCAST
CORPORATION, and COMCAST OF
CALIFORNIA/COLORADO, LLC

7 DATED: February 23, 2007

OFFICE OF THE CITY ATTORNEY, CITY OF
8 OAKLAND

9
10 By: Mark T. Morodomi
11 Mark T. Morodomi
12 Supervising Trial Attorney
Attorneys for Plaintiff CITY OF OAKLAND

13 **ORDER**

14 PURSUANT TO THIS STIPULATION, IT IS SO ORDERED.

15
16 Dated: _____, 2007

17
18 _____
19 The Honorable Claudia Wilken
20 United States District Judge