

1 MELINDA HAAG (CSBN 132612)
 United States Attorney
 2 JOANN SWANSON (CSBN 88143)
 Chief, Civil Division
 3 CLAIRE T. CORMIER (CSBN 154364)
 Assistant United States Attorney

4 150 Almaden Blvd., Suite 900
 5 San Jose, California 95113
 Telephone: (408) 535-5082
 6 FAX: (408) 535-5081
 Claire.Cormier@usdoj.gov

7 Attorneys for Defendant
 8 United States of America

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

13 JOHN BRUCE,)	Case No. CV 11-03415 PSG
14 Plaintiff,)	STIPULATION AND (PROPOSED) ORDER WITHDRAWING MOTION TO DISMISS, SETTING DEADLINE FOR RESPONSE TO COMPLAINT, AND CONTINUING CASE MANAGEMENT CONFERENCE
15 v.)	
16 UNITED STATES OF AMERICA,)	
17 Defendant.)	
18)	

19 Based on plaintiff’s submissions in opposition to defendant’s currently pending motion to
 20 dismiss, defendant has agreed to withdraw its motion, which is currently scheduled for hearing
 21 on November 15, 2011. Accordingly, the parties hereby STIPULATE AND REQUEST as
 22 follows.

23 Defendant’s currently pending motion to dismiss is withdrawn. Defendant United States
 24 of America will have to and including November 30, 2011 to answer, move, or otherwise
 25 respond to the Complaint. The initial case management conference for this case, currently
 26 scheduled for November 22, 2011, will be continued to December 13, 2011.

27 //

28 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO STIPULATED.

DATED: November 1, 2011

Respectfully submitted,
LAW OFFICES OF EDWARD B. CHATOIAN

/s/ Edward B. Chatoian

EDWARD B. CHATOIAN
Attorney for Plaintiff

DATED: November 1, 2011

MELINDA HAAG
United States Attorney

/s/ Claire T. Cormier
By: _____
CLAIRE T. CORMIER¹
Assistant United States Attorney

~~**PROPOSED**~~ ORDER

IT IS SO ORDERED.

DATED: November 2, 2011



Paul S. Grewal
United States Magistrate Judge

¹ 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.