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

13 **DANIEL AGER, individually and as a**
 14 **Successor in Interest to the Estate of Alan**
 15 **Ager, Kathryn Ager and Elizabeth Ager,**
 Plaintiff,
 16
 17 v.
 18 **ANTHONY HEDGPETH, ET AL.,**
 Defendants.
 19
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C 11-6642 EJD

**STIPULATION EXTENDING
 DEADLINE FOR DISPOSITIVE
 MOTION; ~~PROPOSED~~ ORDER**

Judge: The Honorable Edward J. Davila

Action Filed: December 23, 2011

21 On February 22, 2013, Plaintiffs moved to modify the Court’s Scheduling Order to change
 22 the current deadline for filing a dispositive motion from March 1, 2013 to May 3, 2013. In light
 23 of Plaintiffs’ pending motion, the parties stipulate and respectfully request under Northern
 24 District Civil Local Rule 6-2 that the Court extend the current March 1, 2013 deadline for a
 25 dispositive motion to seven days after rules on Plaintiffs’ motion, if Plaintiffs’ motion is denied.

26 As discussed in detail in counsel’s accompanying declaration, filing a dispositive motion by
 27 March 1, 2013 will be highly prejudicial to Defendants because it is currently unclear whether
 28 Plaintiffs will have an opportunity to amend their complaint and what issues Defendants need to

1 address in their dispositive motion. Without this information, Defendants cannot properly
2 address Plaintiffs' claims and allegations.

3 In light of the foregoing, the parties jointly request that the current March 1, 2013 deadline
4 for filing a dispositive motion be changed to seven days after the Court rules on Plaintiffs' motion
5 to modify in the event that the motion is denied, and the Scheduling Order remains unchanged.
6

7 Dated: March 1, 2013

/s/ John Houston Scott

John Houston Scott

8 Counsel for Plaintiffs Daniel Ager, Kathryn
9 Ager, and Elizabeth Ager

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11 Dated: March 1, 2013

/s/ Sahar Nayeri

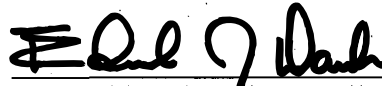
Sahar Nayeri

12 Deputy Attorney General

13 Counsel for Defendants A. Hedgpeth, B. Hedrick,
14 and D. Spencer

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17 Per the parties' stipulation, IT IS SO ORDERED.

18 Dated: 3/4/2013



Honorable Edward J. Davila

19 United States District Judge
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CERTIFICATE OF SERVICE

Case Name: D. Ager v. Hedgpeth, et al.

No. C 11-6642 EJD

I hereby certify that on March 1, 2013, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**STIPULATION EXTENDING DEADLINE FOR DISPOSITIVE MOTION;
[PROPOSED] ORDER**

**DECLARATION OF S. NAYERI SUPPORTING STIPULATION EXTENDING
DEADLINE FOR FILING DISPOSITIVE MOTION**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on March 1, 2013, at San Francisco, California.

M. Luna
Declarant

/s/ M. Luna
Signature