

1 STUART F. DELERY  
 Acting Assistant Attorney General  
 2 DAVID J. KLINE  
 Director, District Court Section  
 3 Office of Immigration Litigation  
 ELIZABETH J. STEVENS  
 4 Assistant Director  
 CRAIG W. KUHN (VSB: 43539)  
 5 Trial Attorney  
 P.O. Box 868, Ben Franklin Station  
 6 Washington, D.C. 20044-0868  
 Telephone: (202) 616-3540  
 7 Facsimile: (202) 616-8962  
 e-mail: craig.kuhn@usdoj.gov

8 Attorneys for Defendants

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

13	ATINA BERTOS,	)	No. C 5:12-cv-3531-RMW
14	Plaintiff,	)	
15	v.	)	
16	JANET NAPOLITANO, <i>et al.</i>	)	JOINT STIPULATION FOR
17	Defendants.	)	CONTINUANCE OF HEARING DATE

18  
 19 Pursuant to Local Rule 7-7(b)(1) of the Local Rules of the Northern District of California,  
 20 IT IS HEREBY STIPULATED by and between plaintiff and defendants, by and through  
 21 their undersigned counsel, that the time for oral arguments regarding Defendants' Motion to  
 22 Dismiss and/or for Summary Judgment will be rescheduled to March 15, 2013 at 9:00 a.m. in  
 23 Courtroom 6 before the Honorable Ronald M. Whyte. In addition, if the Court grants Plaintiff's  
 24 request for leave to file her opposition out of time, then the parties agree that Defendants may  
 25 file a reply no later seven (7) days after the Court rules on Plaintiff's motion for leave to file her  
 26 opposition out of time.  
 27  
 28

1 Oral argument was scheduled on February 8, 2013 at 9:00 a.m. in Courtroom 6 before the  
2 Honorable Ronald M. Whyte.

3 The continuance of hearing date was requested by both parties because plaintiff filed her  
4 opposition outside the normal time permitted by the rules to respond, and the Court has not yet  
5 ruled on Plaintiff's request for leave to file out of time. In addition, continuing the hearing date  
6 to March 15, 2013, will provide the Court the necessary time to review the parties papers and  
7 determine if a decision can be reached on the merits without the need for oral arguments.

8  
9 Dated: January 31, 2013

Respectfully submitted,

10 STUART F. DELERY  
Principal Deputy Assistant Attorney General

11 DAVID J. KLINE  
Director

12 ELIZABETH J. STEVENS  
Assistant Director

13 /s/ Craig W. Kuhn  
14 CRAIG W. KUHN<sup>1</sup>  
15 Trial Attorney  
16 United States Department of Justice  
17 Civil Division  
18 Office of Immigration Litigation  
19 District Court Section  
20 Attorney for Defendants

21 Dated: January 31, 2013

LAW OFFICE OF BERNADETTE CONNOLLY

22 /s/ Bernadette Willeke Connolly (by email consent)  
23 BERNADETTE WILLEKE CONNOLLY  
24 1671 The Alameda, Suite 200  
25 San Jose, CA 95126  
26 Attorney for Plaintiff

27  
28 

---

<sup>1</sup> I, Craig W. Kuhn, hereby attest that I obtained the concurrence in the filing of this document from all signatories indicated by a "conformed" signature (/s/).

ORDER

Pursuant to the stipulation of the parties, IT IS SO ORDERED.

*Ronald M. Whyte*

Dated:

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