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Attorney for: SEASIDE CIVIC LEAGUE, INC., AND  
 DEL MONTE MANOR, INC.

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

SEASIDE CIVIC LEAGUE, INC., AND DEL  
 MONTE MANOR, INC.

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
 HOUSING AND URBAN DEVELOPMENT  
 ("HUD"), SHAUN DONOVAN SECRETARY  
 OF HUD, AND DOES 1 THROUGH 25  
 INCLUSIVE

Defendants.

CASE NO: 5:14-cv-1823 RMW

STIPULATION AND ~~PROPOSED~~ ORDER  
 CONTINUING HEARING ON MOTION TO  
 DISMISS AND CONSOLIDATING BRIEFING

Date: September 19, 2014  
 Time: 9:00 am  
 Courtroom: 6. 4<sup>th</sup> Floor  
 Judge: Honorable Ronald M Whyte

The parties to this matter, by and through their undersigned counsel, stipulate to the following continuance on Defendants' reply in support of their motion to dismiss Plaintiffs' First Amended Complaint, and the hearing on that motion, so that a hearing on that motion can be consolidated with a hearing on motions filed by Plaintiffs, subject to the Court's approval, as follows:

Plaintiffs, SEASIDE CIVIC LEAGUE, INC., ("SCL") and DEL MONTE MANNOR, INC. ("DMM") and Defendants, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") and SHAUN DONOVAN, Secretary of HUD (collectively referred to as "HUD") do hereby agree and stipulate that the hearing on Defendants' Motion to Dismiss the First Amended Complaint currently scheduled for September 19, 2014 at 9:00 a.m., in Courtroom 6 of the

STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING HEARING ON MOTION TO DISMISS AND  
 CONSOLIDATING BRIEFING  
 CASE NO: 14-CV-1823 RMW

1 U.S. District Court, San Jose Division of California located at 280 S First Street, San Jose, CA 95113, be  
2 continued to October 10, 2014 at 9:00 a.m.

3 The parties further stipulate that the hearing on October 10, 2014 would be a hearing on (1)  
4 Defendants' Motion to Dismiss the First Amended Complaint, (2) Plaintiffs' Motion for Leave to File a  
5 Second Amended Complaint filed on August 21, 2014, and (3) a motion to join indispensable parties  
6 that Plaintiffs will file on or before August 29, 2014.

7 Briefing on these three motions would proceed as follows:

8 Defendants would file any opposition to Plaintiffs' Motion for Leave to File a Second Amended  
9 Complaint and the to-be filed motion to join indispensable parties and their reply in support of the  
10 Motion to Dismiss the First Amended Complaint in a single brief of 25 pages or less on or before  
11 September 12, 2014;

12 Plaintiffs would file any reply in support of their Motion for Leave to File a Second Amended  
13 Complaint and the to-be filed motion to join indispensable parties in a single brief of 25 pages or less on  
14 or before September 24, 2014.

15 Dated: August 21, 2014

By: /s/ Kathleen P. Clack  
Kathleen P. Clack  
Attorney for Plaintiffs  
SEASIDE CIVIC LEAGUE, INC. and  
DEL MONTE MANOR, INC.

19 /s/ Michael T. Pyle

20 Dated: August 21, 2014

By: \_\_\_\_\_  
Michael T. Pyle  
Attorney for Defendants  
U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT ("HUD") and  
SHAUN DONOVAN, Secretary of HUD

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

26 The hearing currently set for September 19, 2014 at 9:00 am in Courtroom 6, shall be continued  
27 to October 10, 2014 at 9:00 a.m. and will be a hearing on (1) Defendants' Motion to Dismiss the First  
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STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING HEARING ON MOTION TO DISMISS AND  
CONSOLIDATING BRIEFING  
CASE NO: 14-CV-1823 RMW

1 Amended Complaint, (2) Plaintiffs' Motion for Leave to File a Second Amended Complaint filed on  
2 August 21, 2014, and (3) a motion to join indispensable parties.

3 Plaintiffs shall file their motion to join indispensable parties on or before August 29, 2014.  
4 Defendants shall file any opposition to Plaintiffs' Motion for Leave to File a Second Amended  
5 Complaint and the to-be filed motion to join indispensable parties, along with their reply in support of  
6 the Motion to Dismiss the First Amended Complaint in a single brief of 25 pages or less on or before  
7 September 12, 2014;  
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9 Plaintiffs shall file any reply in support of their Motion for Leave to File a Second Amended  
10 Complaint and the to-be filed motion to join indispensable parties in a single brief of 25 pages or less on  
11 or before September 24, 2014.  
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15 DATED:



16 Hon. Ronald M. Whyte  
17 UNITED STATES DISTRICT JUDGE  
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