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8 * *Defendant's counsel listed after the caption*

10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 KATHRYNE LYNNE CARLTON

13 Plaintiff,

14 v.

16 CITY OF CUPERTINO; DOES 1-10,
 17 inclusive,

18 Defendants.

Case No. C14-03178 RMW

Civil Rights

**STIPULATION AND
 ORDER TO
 EXTEND TIME UNDER F.R.C.P.
 RULE 12(F)**

Action Filed: July 14, 2014

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28 STIPULATION AND ORDER
 TO EXTEND TIME UNDER FRCP 12(f)

Case No. C14-3178 RMW

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STIPULATION

TO THE CLERK OF THE ABOVE ENTITLED COURT AND TO ALL PARTIES AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:

WHEREAS, this case has been assigned for early disclosures and mediation under General Order 56;

WHEREAS, plaintiff's deadline for filing a motion under Federal Rule of Civil Procedure ("FRCP") Rule 12(f) regarding defendant CITY OF CUPERTINO's Answer is August 29, 2014;

WHEREAS, plaintiff and defendant wish to avoid the time and expense of briefing an FRCP 12(f) motion until/unless mediation under General Order 56 does not succeed;

IT IS HEREBY STIPULATED by and among plaintiff and defendant that the deadline for plaintiff to file any motion under FRCP 12(f) be extended to 21 days past the date the mediator certifies that mediation under General Order 56 has been completed. It is also stipulated that 1) the parties shall meet and confer within 7 days after the mediation has been certified as completed; 2) that defendant shall thereafter be allowed an opportunity to voluntarily amend its answer prior to plaintiff filing any Rule 12(f) motion; and 3) that any amended answer shall be filed no later than 7 days after the parties meet and confer.

IT IS SO STIPULATED.

Dated: August 26, 2014

LAW OFFICES OF PAUL L. REIN

/s/ Catherine Cabalo
By: CATHERINE CABALO, ESQ.
Attorneys for Plaintiff KATHRYNE LYNNE
CARLTON

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Dated: August 25, 2014

DANG & TRACHUK

 /s/ Thomas J. Trachuk
By: THOMAS J. TRACHUK, ESQ.
Attorneys for Defendant CITY OF CUPERTINO

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ORDER

Pursuant to the stipulation of the parties, and for good cause shown, it is hereby ORDERED that the deadline for plaintiff to file any motion under Federal Rule of Civil Procedure 12(f) against defendant CITY OF CUPERTINO be extended to 21 days past the date the mediator certifies that mediation under General Order 56 has been completed. The parties shall meet and confer within 7 days after the mediation has been certified as completed. Defendant CITY OF CUPERTINO shall thereafter be allowed an opportunity to voluntarily amend its answer prior to plaintiff filing any FRCP 12(f) motion. Any amended answer shall be filed no later than 7 days after the parties meet and confer.

IT IS SO ORDERED.

Dated: _____, 2014

Honorable Ronald M. Whyte
United States District Judge