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14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

17 RITA ACOSTA, BESSIE TAYLOR, VAN
 18 GRESHAM, CHERIE HERNANDEZ, JOHN
 LERMA, JOSEPH BLAINS, AND WILLIAM
 19 SILAS,

20 Plaintiffs,

21 vs.

22 CITY OF SALINAS,

23 Defendant.

Case No. 15-CV-05415-LHK

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND TIME TO FILE
 REPLY TO DEFENDANT’S OPPOSITION
 TO MOTION FOR A PRELIMINARY
 INJUNCTION**

Judge: Hon. Lucy H. Koh
 Courtroom: 8

Hearing Date: March 3, 2016
 Time: 1:30 p.m.

1 Pursuant to Local Rule 6-2, Plaintiffs and Defendant hereby stipulate to this request that
2 the Court enter an order extending Plaintiffs' time to file its reply to Defendant's Opposition to
3 Motion for Preliminary Injunction (Dkt. 13) until January 19, 2016. Good cause exists for the
4 extension, no prior extensions have been granted in this case, and the extension should not affect
5 the currently scheduled hearing date.

6 **RECITALS**

7 1. Plaintiff filed its Motion for a Preliminary Injunction on December 22, 2015. Dkt. 13.
8 The motion was served on Defendant City of Salinas by mail on the same day. Dkt. 13-23.

9 2. Defendant's opposition would normally have been due two weeks later, on January 5,
10 2016. But, because the motion for a preliminary injunction was served by mail, the parties
11 conferred and agreed that Local Rule 7-3 granted Defendant an automatic three-day extension
12 within which to file its opposition, making the opposition due on January 8, 2016.

13 3. On January 8, 2016, the parties entered into a stipulation in which Plaintiffs agreed not
14 to move to advance the hearing date on the motion for a preliminary injunction to earlier than
15 March 3, 2016. In return, Defendant agreed not to enforce Ordinance No. 2564 or otherwise
16 conduct cleanups prior to March 3, 2016. Dkt. 19.

17 4. Defendant filed its opposition to the motion for a preliminary injunction on January 8,
18 2016. Dkt. 17. Pursuant to Local Rule 7-3(c), Plaintiffs' reply would be due on January 15, 2016.

19 5. On January 12, 2016, the parties conferred and agreed to request an order extending the
20 time for Plaintiffs to file their reply to Defendant's opposition. The parties agreed to an extension
21 until January 19, 2016.

22 6. Good cause exists for the extension. Defendant's opposition included a number of
23 declarations and other evidence, and Plaintiffs are considering how to respond to that evidence.
24 Declaration of John B. Major ("Major Decl."), ¶ 2.

25 7. Neither Plaintiffs nor Defendant have previously requested an extension of time in this
26 case. Major Decl. ¶ 3.

27 8. The motion for a preliminary injunction is scheduled for hearing on March 3, 2016.
28 Even with the extension of time, the Court will have more than six weeks to review the complete


1 briefing in advance of the hearing, so the extension should not affect the currently scheduled
2 hearing. Major Decl. ¶ 4.

3 **STIPULATION**


4 Pursuant to Local Rule 6-2, the parties hereby stipulate to a request for an order granting
5 Plaintiffs a four-day extension, until January 19, 2016, within which to file their reply. The
6 hearing on the motion would remain as previously scheduled, on March 3, 2016, at 1:30 p.m.

7
8 DATED: January 13, 2016

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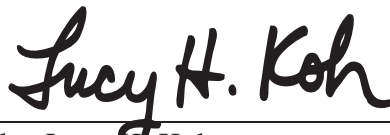
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~~PROPOSED~~ ORDER

Pursuant to the foregoing stipulation to extend time for Plaintiffs to file their reply to Defendant's opposition, Plaintiffs' reply is now due on January 19, 2016.

IT IS SO ORDERED.

Dated: January 14, 2016



Judge Lucy H. Koh
United States District Judge