

GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER

ATTORNEYS AT LAW

A Professional Corporation
P.O. Box 2079, Oakland, CA 94604-2079

1 Steven J. Brewer, Esq. State Bar No. 94889
2 GWILLIAM IVARY CHIOSSO CAVALLI & BREWER
3 1999 Harrison St., Suite 1600
4 Oakland, CA 94612
5 Phone: (510)832-5411
6 Fax: (510)832-1918
7 Email: sbrewer@giccb.com

8 Omar I. Habbas, Esq. State Bar No. 126629
9 HABBAS, NASSERI & ASSOCIATES
10 675 North First Street, Suite 1000
11 San Jose, California 95112
12 Phone: (408)278-0400
13 Fax: (408)278-0488

14 Attorneys for Plaintiff
15 MONTIE SINGH

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA

18 MONTIE SINGH,
19 Plaintiff,
20 vs.
21 UNITED STATES OF AMERICA
22 Defendant.

Case No.: 16-CV-01919-NC

STIPULATION AND *MODIFIED* ORDER
FOR CONTINUANCE OF HEARING FOR
DEFENDANT’S MOTION TO DISMISS
AND SETTING BRIEFING SCHEDULE

Date: July 27, 2016
Time: 1:00 p.m.
Judge: Hon. Nathanael M. Cousins

23 **STIPULATION FOR CONTINUANCE**

24 Plaintiff Montie Singh and Defendant United States of America hereby stipulate and
25 request this Court continue the scheduled hearing on the Defendant’s Motion to Dismiss from
26 July 27, 2016 at 1:00 p.m. to August 24, 2016 at 1:00 p.m. in Courtroom 7, 4th Floor, 280 South
27 1st Street, San Jose, California, 95133.
28

1 The Plaintiff has not yet filed his opposition papers to Defendant's Motion to Dismiss.
2 Pursuant to the continued hearing date, the parties stipulate that Plaintiff's opposition papers will
3 be due July 11, 2016.

4 As Assistant United States Attorney James Scharf will be away on annual leave from July
5 8 through July 18, 2016, the parties stipulate that the Defendant's reply papers will be due July
6 29, 2016.

7 Dated: June 20, 2016

Respectfully submitted,

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ Steven J. Brewer
Steven J. Brewer (SBN 94889)
GWILLIAM, IVARY, CHIOSSO,
CAVALLI & BREWER
1999 Harrison Street, Suite 1600
Oakland, CA 94612
Phone: (510)832-5411
Fax: (510)832-1918
Email: sbrewer@giccb.com

Attorney for Plaintiff MONTIE
SINGH

By: /s/ James A. Scharf
Brian J. Stretch (SBN 163973)
United States Attorney
Sara Winslow (SBN 457643)
Chief, Civil Division
James A. Scharf (SBN 152171)
Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San Jose, California 95113
Phone: (408) 535-5044
Fax: (408) 535-5081
Email:james.scharf@usdoj.gov

Attorney for Defendant UNITED
STATES OF AMERICA

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

DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the above-listed counsel for Plaintiff Montie Singh and Defendant United States of America.

Dated: June 20, 2016

/s/ Steven J. Brewer
Steven J. Brewer

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

MODIFIED ORDER

PURSUANT TO STIPULATION OF THE PARTIES, IT IS HEREBY ORDERED that the Hearing for Defendant’s Motion to Dismiss (Dkt. No. 9) is continued from Wednesday, July 27, 2016, at 1:00 p.m. to Wednesday, **August 10, 2016**, at 1:00 p.m. in Courtroom 7, 4th Floor, 280 South 1st Street, San Jose, California, 95133. Plaintiff’s opposition papers are due July 11, 2016, and the Defendant’s reply papers are due July 29, 2016.

Dated: June 20, 2016

