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9 UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE COURTHOUSE | 280 S. 1<sup>ST</sup> STREET, SAN JOSE, CA 95113  
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12 LORI RODRIGUEZ, THE SECOND  
AMENDMENT FOUNDATION,  
13 INC., and THE CALGUNS  
FOUNDATION, INC.,  
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15 Plaintiffs,

16 vs.

17 CITY OF SAN JOSE, CITY OF SAN  
JOSE POLICE DEPARTMENT,  
18 OFFICER STEVEN VALENTINE  
and DOES 1 TO 20,  
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20 Defendants.  
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Case No.: 5:15-CV-03698

**STIPULATION OF THE PARTIES  
RE: EXTEND TIME FOR  
PLAINTIFF'S FILING OF  
OPPOSITION AND CROSS-MOTION  
FOR SUMMARY JUDGMENT**

Date: November 10, 2016

Time: 9:00 a.m.

Courtroom: 4

Judge: Hon. Edward J. Davila

22 The parties by and through undersigned counsel stipulate as follows:

- 23 1. Plaintiffs' Opposition to Defendants' Motion for Summary Judgment and/or  
24 Partial Summary Judgment was due to be filed with the Court's ECF system  
25 on September 15, 2016 by 11:59 p.m.
- 26 2. Plaintiffs' Counsel (Donald Kilmer) reports that he was having technical  
27 difficulties with the filing. (Attorney Kilmer had acquired a new laptop  
28 computer for work that uses a new operating system, and he experienced the

1 computer locking up several times as he was trying to file the necessary  
2 pleadings. In addition, the program for generating a Table of Contents and  
3 Table of Authorities became unstable and required additional time to edit  
4 Plaintiffs' Memorandum of Points and Authorities.)

5 3. Most of the Documents (Doc # 28 - # 33) were filed less than one-half hour  
6 late. However that filing did not include:

7 a. A properly edited Memorandum of Points and Authorities.

8 b. A proposed order.

9 c. A corrected and complete version of Attorney Kilmer Declaration.

10 4. Defendants' counsel has been apprized of this situation and hereby waives  
11 the tardy filings of the original documents and consents to

12 a. Substitution of the final edited and corrected Memorandum of Points  
13 and Authorities with a Table of Contents and Table of Authorities.

14 b. Substitution of a corrected and complete version of Attorney Kilmer  
15 Declaration.

16 c. Filing of a proposed order by Plaintiffs.

17 So Stipulated.

18 Date: September 16, 2016

Date: September 16, 2016

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20 /s/ Mark Vanni

/s/ Donald Kilmer

21 For Defendants

For Plaintiffs

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