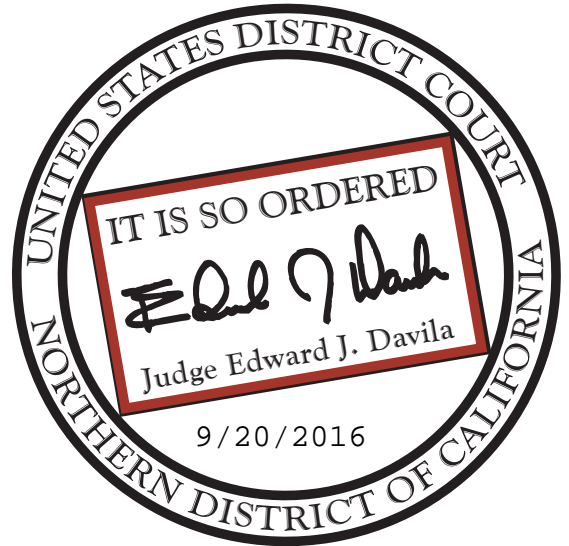


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8 Attorneys for Plaintiffs



9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE COURTHOUSE | 280 S. 1ST STREET, SAN JOSE, CA 95113

12 LORI RODRIGUEZ, THE SECOND
13 AMENDMENT FOUNDATION,
14 INC., and THE CALGUNS
15 FOUNDATION, INC.,

16 Plaintiffs,

17 vs.

18 CITY OF SAN JOSE, CITY OF SAN
19 JOSE POLICE DEPARTMENT,
20 OFFICER STEVEN VALENTINE
21 and DOES 1 TO 20,

22 Defendants.

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

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

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

19
20 /s/ Mark Vanni

/s/ Donald Kilmer

21 For Defendants

For Plaintiffs

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