| | Case 2:19-cv-00617-KJM-AC Document 9 | 3 Filed 09/03 | 1/23 | Page 1 of 5 | | |
|----|--|------------------------------|------------------|--------------------------------|--|--|
| 1 | ROB BONTA, State Bar No. 202668 | | | | | |
| 2 | Attorney General of California MARK R. BECKINGTON, State Bar No. 126009 | | | | | |
| 3 | Supervising Deputy Attorney General LARA HADDAD, State Bar No. 319630 | | | | | |
| 4 | Deputy Attorney General 300 South Spring Street, Suite 1702 | | | | | |
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| 6 | Fax: (916) 731-2124 E-mail: Lara.Haddad@doj.ca.gov | | | | | |
| 7 | Attorneys for Defendant Rob Bonta in his official capacity as Attorney General of California | l | | | | |
| 8 | AMY L. BELLANTONI THE BELLANTONI LAW FIRM PLLC | | | | | |
| 9 | 2 Overhill Road, Suite 1400 Scarsdale, NY 10583 | | | | | |
| 10 | Telephone: 914-367-0090 Facsimile: 888-763-9761 | | | | | |
| 11 | COSCA LAW CORPORATION | | | | | |
| 12 | CHRIS COSCA, SBN 144546 1007 7th Street, Suite 210 | | | | | |
| 13 | Sacramento, CA 95814 Attorneys for Plaintiffs | | | | | |
| 14 | IN THE UNITED STAT | LES DISTRICI | | IRT | | |
| 15 | FOR THE EASTERN DIS | | | | | |
| 16 | FOR THE EASTERN DIS | OTRICT OF CA | LIFU | KNIA | | |
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| 18 | MARK BAIRD and RICHARD GALLARDO, | 2:19-cv-00617 | -cv-00617-KJM-AC | | | |
| 19 | | | | O CONTINUE | | |
| 20 | Plaintiffs, | | | ; PROPOSED ORDER | | |
| 21 | V. | Judge: | Mue | | | |
| 22 | ROB BONTA, in his official capacity as | Trial Date: Action Filed: | None April | | | |
| 23 | Attorney General of the State of California, and DOES 1-10, | | | | | |
| 24 | Defendants. | | | | | |
| 25 | | | | | | |
| 26 | Plaintiffs Mark Baird and Richard Gallardo and Defendant Rob Bonta, in his official | | | | | |
| 27 | capacity as Attorney General of California, will | move, and here | by stip | pulate to and request a short. | | |
| 28 | | | | | | |

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| 1 | further continuance of the motion for summary judgment hearing scheduled for October 13, 2023, | | | | |
|----|---|--|--|--|--|
| 2 | to November 3, 2023, and for adjusted briefing deadlines, for the following reasons: | | | | |
| 3 | WHEREAS, Defendants filed their motion for summary judgment on August 18, 2023; | | | | |
| 4 | WHEREAS, on August 24, 2023, Plaintiffs' counsel requested Defendants' position on a | | | | |
| 5 | continuance of the hearing date, to allow filing of a countermotion for summary judgment, and | | | | |
| 6 | Defendants did not oppose, requesting that all remaining briefing run from the new hearing date; | | | | |
| 7 | WHEREAS, on August 25, 2023, Plaintiffs filed their motion for a continuance of the | | | | |
| 8 | hearing date, and on August 28, 2023, this Court granted that motion, resetting the hearing as to | | | | |
| 9 | Defendant's Motion for Summary Judgment for October 13, 2023, and set forth all remaining | | | | |
| 10 | briefing as running from the new hearing date; | | | | |
| 11 | WHEREAS, the parties have further conferred over the deadlines by which to file their | | | | |
| 12 | briefs and agree that new briefing schedule should be set; | | | | |
| 13 | WHEREAS, Defendant's counsel has determined that due to her current case calendar, a | | | | |
| 14 | short continuance of the hearing and briefing schedule is necessary to avoid conflicts in her | | | | |
| 15 | calendar during the second half of September that would otherwise interfere with her ability to | | | | |
| 16 | adequately prepare and file briefs that would be most helpful to the Court; | | | | |
| 17 | WHEREAS, the parties have met and conferred, and Plaintiffs do not oppose a further short | | | | |
| 18 | continuance of the hearing date in this matter, and have also agreed to a proposed briefing | | | | |
| 19 | schedule in accordance with Local Rule 230; | | | | |
| 20 | IT IS HEREBY STIPULATED AND AGREED, by and among the Parties, through their | | | | |
| 21 | counsel of record, that: | | | | |
| 22 | 1. The hearing on the Defendant's motion for summary judgment in this matter is | | | | |
| 23 | continued from October 13, 2023, to November 3, 2023; | | | | |
| 24 | 2. Plaintiffs' countermotion for summary judgment is to be filed on September 29, 2023 | | | | |
| 25 | and shall also be set for hearing on November 3, 2023; | | | | |
| 26 | 3. Both parties will file oppositions by October 13, 2023; | | | | |
| 27 | 4. Both parties will file reply briefs by October 23, 2023; | | | | |
| 28 | | | | | |

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| 1 | 5. The parties may file consolidated briefs if they decide to do so. If they decide to file | | | | | |
|----------------------|--|--|--|--|--|--|
| 2 | consolidated briefs, Plaintiffs' consolidated motion for summary judgment and opposition to | | | | | |
| 3 | Defendants' motion for summary judgment shall be due September 29, 2023, and shall be no | | | | | |
| 4 | more than 40 pages; Defendants' consolidated opposition and reply shall be due October 13, | | | | | |
| 5 | 2023, and shall be no more than 30 pages; and Plaintiffs' reply shall be due October 23, 2023, and | | | | | |
| 6 | shall be no more than 10 pages. | | | | | |
| 7 | | | | | | |
| 8 | Dated: August 31, 2023 Respectfully submitted, | | | | | |
| 9 | ROB BONTA | | | | | |
| 10 | Attorney General of California MARK R. BECKINGTON Supervising Deputy Attorney General | | | | | |
| 11 | Supervising Deputy Automey General | | | | | |
| 12 | s/ Lara Haddad | | | | | |
| 13 | LARA HADDAD Deputy Attorney General | | | | | |
| 14 | Attorneys for Defendant Rob Bonta in his official capacity as Attorney General of | | | | | |
| 15 | California | | | | | |
| 16 | Dated: September 1, 2023 THE BELLANTONI LAW FIRM, PLLC | | | | | |
| 17 | | | | | | |
| 18 | By: <u>s/Amy L. Bellantoni</u> | | | | | |
| 19 | Amy L. Bellantoni | | | | | |
| 20 21 | Attorneys for Plaintiffs Mark Baird and | | | | | |
| 21 22 | Richard Gallardo | | | | | |
| 22 | PROPOSED ORDER | | | | | |
| 23 24 | I KOI OSED OKDEK | | | | | |
| 2 4 25 | Having considered the parties' Stipulation, and good cause appearing both for the continued | | | | | |
| 23 26 | hearing date and briefing schedule, IT IS HEREBY ORDERED: | | | | | |
| 20 27 | 1. The hearing on the Defendant's motion for summary judgment in this matter is | | | | | |
| 28 | continued from October 13, 2023, to November 3, 2023; | | | | | |
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| | Case 2:19-cv-00617-KJM-AC Document 93 Filed 09/01/23 Page 4 of 5 | | | | | |
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| 1 | 2. Plaintiffs' countermotion for summary judgment is to be filed on September 29, 2023 | | | | | |
| 2 | and shall also be set for hearing on November 3, 2023; | | | | | |
| 3 | 3. Both parties will file oppositions by October 13, 2023; | | | | | |
| 4 | 4. Both parties will file reply briefs by October 23, 2023; | | | | | |
| 5 | 5. The parties may file consolidated briefs if they decide to do so. If they decide to file | | | | | |
| 6 | consolidated briefs, Plaintiffs' consolidated motion for summary judgment and opposition to | | | | | |
| 7 | Defendants' motion for summary judgment shall be due September 29, 2023, and shall be no | | | | | |
| 8 | more than 40 pages; Defendants' consolidated opposition and reply shall be due October 13, | | | | | |
| 9 | 2023, and shall be no more than 30 pages; and Plaintiffs' reply shall be due October 23, 2023, and | | | | | |
| 10 | shall be no more than 10 pages. | | | | | |
| 11 | | | | | | |
| 12 | IT IS SO ORDERED. | | | | | |
| 13 | Dated:Hon. Kimberly J. Mueller | | | | | |
| 14 | Tion. Kiniberty J. Muener | | | | | |
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CERTIFICATE OF SERVICE

Case Name: Baird, Mark v. Rob Bonta No. 2:19-cv-00617-KJM-AC

I hereby certify that on <u>September 1, 2023</u>, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

STIPULATION TO CONTINUE HEARING DATE; PROPOSED ORDER

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on <u>September 1, 2023</u>, at Los Angeles, California.

Lara Haddad Declarant s/ Lara Haddad

Signature