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Attorneys for Plaintiffs

14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA
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18 **MARK BAIRD and RICHARD**
GALLARDO,
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20 Plaintiffs,
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22 **v.**
23 **ROB BONTA, in his official capacity as**
Attorney General of the State of California,
and DOES 1-10,
24 Defendants.

2:19-cv-00617-KJM-AC

**STIPULATION TO CONTINUE
HEARING DATE; ORDER**

Judge: The Honorable Kimberly J. Mueller
Trial Date: None Set
Action Filed: April 10, 2019

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26 Plaintiffs Mark Baird and Richard Gallardo and Defendant Rob Bonta, in his official
27 capacity as Attorney General of California, will move, and hereby stipulate to and request a short,
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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;

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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.

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8 Dated: August 31, 2023

Respectfully submitted,

9 ROB BONTA
10 Attorney General of California
11 MARK R. BECKINGTON
12 Supervising Deputy Attorney General

13 s/ Lara Haddad
14 LARA HADDAD
15 Deputy Attorney General
16 Attorneys for Defendant Rob Bonta in his
17 official capacity as Attorney General of
18 California

19 Dated: September 1, 2023

THE BELLANTONI LAW FIRM, PLLC

20 By: s/ Amy L. Bellantoni
21 Amy L. Bellantoni

22 Attorneys for Plaintiffs Mark Baird and
23 Richard Gallardo

ORDER

24 Having considered the parties' Stipulation, and good cause appearing both for the continued
25 hearing date and briefing schedule, IT IS HEREBY ORDERED:

26 1. The hearing on the Defendant's motion for summary judgment in this matter is
27 continued from October 13, 2023, to November 3, 2023;
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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;

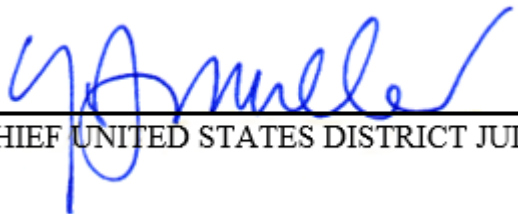
3 3. Both parties will file oppositions by October 13, 2023;

4 4. Both parties will file reply briefs by October 23, 2023; and

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 **IT IS SO ORDERED.**

12 Dated: September 6, 2023.

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16 CHIEF UNITED STATES DISTRICT JUDGE
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