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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

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16 J. CARLOS FERGUSON,

17 No. C 06-01619 (SBA)

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19 Plaintiff,

20 v.

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22 ROCKWELL HOPP; DOES 1 through 10,
23 inclusive,

24 **STIPULATION AND ORDER TO
EXTEND TIME TO AMEND
ANSWER AS A MATTER OF
COURSE UNDER FRCP 15(a)**

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26 Defendants.

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1 This Stipulation and [Proposed] Order to Extend Time to Amend Answer as a
2 Matter of Course Under FRCP 15(a) ("Stipulation and Order to Extend") is agreed to and
3 submitted by Plaintiff Carlos Ferguson and Defendant Rockwell Hopp. The need for this
4 Stipulation and Order to Extend is based on the following facts:

5 WHEREAS, pursuant to Civil Local Rules 6-1 and 6-2, all parties stipulate to
6 extend the time frame set in Federal Rule of Civil Procedure 15(a) regarding the amendment of a
7 pleading as a matter of course;

8 WHEREAS, Mr. Hopp wishes to amend his original Answer filed with the Court
9 on April 20, 2006;

10 WHEREAS, under the current deadline to amend the Answer as a matter of
11 course, pursuant to Federal Rule of Civil Procedure 15(a), is May 10, 2006;

12 WHEREAS, Counsel for the Mr. Hopp will be out of his San Francisco office, on
13 business, until May 12, 2006;

14 WHEREAS, no other deadline in this matter will be affected by this stipulated
15 extension;

16 NOW, THEREFORE, subject to the Court's approval, Mr. Ferguson on the one
17 hand, and Mr. Hopp on the other hand, hereby stipulate and agree as follows:

18 1. Mr. Hopp shall file an Amended Answer on or before May 19, 2006. No
19 Amended Answer may be filed after May 19, 2006 without the written consent of Mr. Ferguson
20 or leave of Court, pursuant to Federal Rule of Civil Procedure 15(a).

21 2. Any response to the original Answer of April 20, 2006, including, but not limited
22 to, a Motion to Strike Pursuant to Federal Rule of Civil Procedure 12(f), shall be filed on or
23 before May 30, 2006, in the event that Mr. Hopp fails to file an Amended Answer by May 19,
24 2006.

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1 DATED: May 5, 2006

2 By: _____ /s/

3 Aaron Schur
Attorneys for Plaintiff
CARLOS FERGUSON

4 DATED: May 5, 2006

5 By: _____ /s/

6 Robert H. Gold
Attorneys for Defendant
ROCKWELL HOPP

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8 **PURSUANT TO STIPULATION, IT IS SO ORDERED,**

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10 DATED: May 8, 2006

11 _____
12 Hon. Saundra B. Armstrong
United States District Judge

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