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 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION
 18

19 JUSTIN HART,
 20
 21 Plaintiff,
 22 v.
 23 FACEBOOK, INC. et al.,
 24 Defendants.

Case No. 3:22-cv-00737-CRB

Joint Stipulation and Proposed Order Extending Filing Deadlines for Anticipated Motion to Amend the Complaint Briefing : ORDER

Judge: Hon. Charles R. Breyer

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 26 Pursuant to Local Rule 6-2, the parties agree and stipulate to additional time
 27 for Defendants to file their opposition papers to Plaintiff's forthcoming Motion to
 28

PLAINTIFF'S MOTION FOR ADDITIONAL
 TIME AND TO FILE A CONSOLIDATED
 BRIEF

1 Amend the Complaint and additional time for Plaintiff to file his reply papers
2 concerning that forthcoming motion. In support, the parties state as follows:

3 1. Plaintiff plans to file a motion to amend his complaint on October 20,
4 2022, which the Defendants plan to oppose. The parties conferred and agreed that
5 an enlarged briefing schedule is necessary for each side to fully present its
6 arguments given the nature of the issue and other scheduling conflicts, including the
7 upcoming Thanksgiving holiday. Specifically, they stipulated to the following
8 schedule and hereby propose it to the Court:

- 9 • **October 20, 2022:** Date by which Plaintiff may file a motion to
10 amend his complaint.
- 11 • **November 14, 2022:** Date by which Defendants may file their
12 opposition papers to Plaintiff's motion.
- 13 • **December 2, 2022:** Date by which Plaintiff may file reply
14 papers to any papers that the Defendants file opposing his
15 motion.
- 16 • **December 16, 2022:** Hearing date for Plaintiff's motion.

17 2. The parties have not previously requested an extension of time for
18 briefing on Plaintiff's forthcoming motion to amend the complaint. The following are
19 all previous time modifications in the case, whether by stipulation or Court order:

- 20 • Dkt. No. 11: The U.S District Court for the Southern District of
21 California granted an extension for Defendant Twitter, Inc. to
22 file its response to Plaintiff's complaint.
- 23 • Dkt. No. 21: The U.S District Court for the Southern District of
24 California granted an extension of time for the government to
25 respond to Plaintiff's complaint.
- 26 • Dkt. No. 26: The U.S District Court for the Southern District of
27 California granted an extension of time for Defendant Facebook,
28 Inc. to respond to the complaint.

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- Dkt. No. 32: The U.S District Court for the Southern District of California ordered a briefing schedule for the Defendants’ motions to transfer the case to this Court and extended the time for them to respond to the complaint and file motions under California Code of Civil Procedure § 425.16.
- Dkt. No. 47: This Court entered an order setting ADR deadlines, Rule 26(f) report deadlines, and scheduled an initial case management conference.
- Dkt. No. 54: This Court vacated all hearings that were scheduled to occur before the magistrate judge.
- Dkt. No. 56: The Court set deadlines for a joint case management statement and an initial case management conference.
- Dkt. No. 64: This Court extended the time for the Defendants to respond to Plaintiff’s complaint and file any motion under California Code of Civil Procedure § 425.16.
- Dkt. No. 74: The Court rescheduled the motion to dismiss hearing.
- Dkt. No. 75: The Court rescheduled the motion to dismiss hearing.
- Dkt. No. 77: This Court entered a briefing schedule for the Defendants’ motions to dismiss and strike and rescheduled the hearing date for those motions.
- Dkt. No. 91: This Court extended the deadline for the government to file an answer to Plaintiff’s FOIA claim and the deadline for filing a joint case management statement. It also postponed a case management conference.
- Dkt. No. 93: The Court rescheduled the dates for the parties to file a joint case management statement. It also postponed the case management conference.
- Dkt. No. 95: This Court vacated the deadline for filing a joint case management statement and it vacated the case management conference.

1 3. A scheduling order for discovery and dispositive motions has not yet
2 been entered in this case, so this Joint Stipulation's proposed briefing schedule for
3 Plaintiff's motion to amend the complaint will not interfere with a scheduling order.

4 4. For the foregoing reasons, the parties request that this Court enter an
5 order allowing them to follow the briefing schedule proposed above for Plaintiff's
6 forthcoming motion to amend his complaint.

7 Dated: October 18, 2022

Respectfully submitted,

/s/ James McQuaid

James McQuaid (*pro hac vice*)

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Dated: October __, 2022

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Vivek Murthy in his official
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Surgeon General, President Joseph
R. Biden, Jr. in his official
capacity as President of the United
States, The Department of Health
and Human Services, and the
Office of Management
and Budget*

CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION

I hereby attest that concurrence in the filing of this document has been
obtained from each of the other signatories hereto.

Dated: October 18, 2022

By: /s/ James J. McQuaid
James J. McQuaid

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~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 18, 2022



Hon. Charles R. Breyer
U.S. District Judge