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16 **UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18 Isaac Wolf,
19 Plaintiff,

20 v.

21 University Professional & Technical
22 Employees, Communications Workers of
23 America Local 9119; Janet Napolitano, in
24 her official capacity as President of the
25 University of California; Joshua Golka, in
26 his official capacity as Executive Director of
27 the California Public Employment Relations
28 Board; and Xavier Becerra, in his official
capacity as Attorney General of California,

Case No. 3:19-cv-02881-WHA

**JOINT STIPULATIONS AND
MOTION TO CONTINUE CASE
MANAGEMENT CONFERENCE**

1 Defendants. |

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Attorneys for Defendant University Professional and Technical Employees

1 Pursuant to Local Rule 16-2(d), Plaintiff Isaac Wolf, Defendants University
2 Professional & Technical Employees, Communications Workers of America Local
3 9119("UPTE"), Janet Napolitano, Joshua Golka, and Xavier Becerra ("the parties") met
4 and conferred on August 14, 2019 and bring this joint motion to continue the scheduled
5 Case Management Conference set for August 22, 2019. In light of Plaintiff's First
6 Amended Complaint, filed on August 9, 2019, and the Defendants' Motions to Dismiss, it
7 would not be an efficient use of the Court's resources to move forward with the Case
8 Management Conference at this time. Instead, the parties propose that this Court continue
9 the Case Management Conference until the next available date following its ruling on the
10 Defendants' Motions to Dismiss.

11 The parties therefore move the Court to accept the following stipulations and enter
12 the accompanying orders.

13 The parties stipulate that:

14 1. The Motion to Dismiss filed by Defendant UPTE, and the Motion to Dismiss filed
15 on behalf of Defendants Becerra and Golka, will be deemed to substantially apply to the
16 First Amended Complaint as they did to the initial Complaint, such that they need not be
17 redrafted and refiled, since only the first paragraph of Section I of Defendants Becerra and
18 Golka's Motion (regarding the Meyers-Milias-Brown Act (MMBA) statutes) and the third
19 paragraph and footnote 6 of Section IV.D of the UPTE Motion include arguments mooted
20 by Plaintiff's amendment.

21 2. Defendant Janet Napolitano ("Ms. Napolitano"), added to the case by the First
22 Amended Complaint, will file her own Motion to Dismiss by August 23, 2019.

23 3. Plaintiff will file his oppositions to all three Motions to Dismiss within 14 days of
24 the filing of Ms. Napolitano's Motion, consistent with what the local rules would provide
25 if all three motions were refiled concurrently.

26 4. Defendants will file their replies within 7 days of Plaintiff's oppositions.

27 5. The parties will schedule the Motions to Dismiss for hearing on September 26,
28 2019.

1
2 The parties ask that the Court order:

- 3 1. That the Case Management Conference scheduled for August 22, 2019 be continued
4 until after this Court's ruling on Defendants' Motions to Dismiss.
5 2. That the following briefing schedule for the Motions to Dismiss be observed:
6 a. August 23, 2019—Ms. Napolitano's Motion to Dismiss to be filed
7 b. September 6, 2019—Plaintiff's deadline to file oppositions
8 c. September 13, 2019—Defendants' deadline to reply
9 d. September 26, 2019—Hearing date for the Motions to Dismiss
10 3. That the deadline for the parties to make initial disclosures pursuant to F. R. Civ. P.
11 26(a) be postponed until 14 days after this Court's ruling on the Defendants' Motions
12 to Dismiss.
13

14 The Undersigned parties are all in agreement with this motion.

15
16 Dated: August 15, 2019

17 Respectfully submitted,

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

9
10 Date: _____ By: _____
11 Hon. William Alsup