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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Defendants COUNTY OF FRESNO and  
FRESNO COUNTY IN-HOME SUPPORTIVE  
SERVICES PUBLIC AUTHORITY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

MIKESHA MARTINEZ, et al.,  
Plaintiffs,

v.

ARNOLD SCHWARZENEGGER,  
Governor of the State of California; JOHN  
A. WAGNER, Director of the California  
Department of Social Services; DAVID  
MAXWELL-JOLLY, Director of the  
California Department of Health Care  
Services; JOHN CHIANG, California State  
Controller; FRESNO COUNTY; and  
FRESNO COUNTY IN-HOME  
SUPPORTIVE SERVICES PUBLIC  
AUTHORITY,

Defendants.

Case No. C 09-02306 CW

**STIPULATION TO CONTINUE HEARING  
DATE FOR DEFENDANTS COUNTY OF  
FRESNO'S MOTION TO DISMISS AND  
MOTION TO SEVER CLAIMS; ORDER  
THEREON **AS MODIFIED****

Date: August 27, 2009  
Time: 2:00 p.m.  
Dept.: Courtroom 2

Plaintiffs MIKESHA M ARTINEZ, et al. ("Plaintiffs") and Defendants COUNTY OF  
FRESNO and FRESNO COUNTY IN- HOME SUPPORTIVE SERVICES PUBLIC  
AUTHORITY (collectively referred to as "County of Fresno") hereby stipulate to continue the  
hearing date on County of Fresno's Motion to Dismiss and Motion to Sever from August 27,  
2009 to September 17, 2009 at 9:00 a.m., with the County of Fresno's Reply papers being due on

1 or before September 3, 2009.

2 Good cause exists for the requested continuance as the parties are in the process of  
3 finalizing an agreement which will effectuate, among other items, a dismissal without prejudice  
4 of the claims against County of Fresno and a waiver of fees and costs by County of Fresno.

5 IT IS SO STIPULATED.

6 Dated: August 12, 2009

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

8  
9 By: /s/ Mandy Jeffcoach

10 Michael G. Woods  
11 Timothy J. Buchanan  
12 Attorneys for Defendant  
COUNTY OF FRESNO and FRESNO  
COUNTY IN-HOME SUPPORTIVE  
SERVICES PUBLIC AUTHORITY

13 Dated: August 12, 2009

ALTSCHULER BERZON LLP

14  
15  
16 By: /s/ Anne N. Arkush

17 Stephen P. Berzon  
18 Scott A. Kronland  
19 Stacey M. Leyton  
Peder J. Thoreen  
Anne N. Arkush  
Attorneys for Plaintiffs

20 **ORDER**

21 Upon reviewing the Stipulation entered into by and between Plaintiffs and County of  
22 Fresno, and good cause appearing therefore, it is hereby ORDERED that the hearing on County  
23 of Fresno's Motion to Dismiss and Motion to Sever Claims be continued from August 27, 2009 to  
24 **September 17, 2009 at 2:00 p.m.**

25 IT IS SO ORDERED.

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27 The Honorable Claudia Wilken  
28 Judge of the Superior Court

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