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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12 AMERICAN POSTAL WORKERS UNION)
13 *et al.*,)
14 Plaintiffs,)
15 v.)
16 UNITED STATES POSTAL SERVICE.,)
17 Defendant.)

No. 12-05327 YGR

**STIPULATION AND ~~[PROPOSED]~~
ORDER SETTING BRIEFING
SCHEDULE AND REQUESTING
HEARING DATE*****

*** The parties are requesting a hearing on
or before November 9, 2012.

18 IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval of
19 the Court, that the Court set a briefing schedule and hearing date on the motion for a preliminary
20 injunction filed by Plaintiffs on October 22, 2012.

21 Plaintiffs filed a motion for a preliminary injunction on October 22, 2012. *See* Docket Nos.
22 9-17. Under the Court's normal briefing/hearing schedule, that motion would be heard 35 days
23 from the date of filing. However, Plaintiffs are seeking preliminary injunctive relief regarding a
24 subcontracting plan that Defendant intends to implement on November 17, 2012. Plaintiffs are
25 informed and believe that in order for this Court to be able to issue effective relief, if it concludes
26 that relief is warranted, it must rule on the motion for a preliminary injunction no later than
27 November 9, 2012.

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1 Defendant's counsel is unavailable for a hearing after November 9, 2012 until November 28,
2 2012. The reason for this unavailability is that he will be on leave from November 13, 2012 to
3 November 27, 2012. Non-refundable tickets and accommodations have already been purchased
4 by Defendant's counsel for this leave, and it cannot be re-scheduled because this leave is "use it
5 or lose it time" that must be used in 2012.

6 The parties thus request a hearing on or before November 9, 2012. The parties have agreed
7 upon the following briefing schedule:

8 October 22, 2012: Plaintiffs file motion for preliminary injunction

9 October 29, 2012: Defendant files papers in opposition to motion

10 November 2, 2012: Plaintiffs file reply papers in support of motion

11 DATED: October 23, 2012 Respectfully submitted,

12 O'Donnell, Schwartz & Anderson, P.C.
13 Darryl J. Anderson (pro hac vice pending)
14 Sarah Kanter (pro hac vice pending)

15 Altshuler Berzon LLP
16 Peter D. Nussbaum (SBN 49862)
17 Jeffrey B. Demain (SBN 126715)
18 Peder J. Thoren (SBN 217081)
19 Attorneys for Plaintiffs

20 By: /s/ Darryl J. Anderson (pro hac vice pending)

21 DARRYL J. ANDERSON
22 Attorneys for Plaintiffs APWU et al.

23 MELINDA HAAG
24 United States Attorney

25 By: /s/ Michael T. Pyle

26 MICHAEL T. PYLE
27 Assistant United States Attorney
28 Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The following briefing schedule applies to the motion for a preliminary injunction filed by

1 Plaintiffs on October 22, 2012. Defendant shall file its opposition papers on or before October
2 29, 2012. Plaintiff shall file any reply papers on or before November 2, 2012.

3 The Court will hold a hearing on this motion on November 9, 2012 at 10:00 a.m.

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5 DATED: October 23, 2012


6 HON. YVONNE GONZALEZ ROGERS
7 United States District Judge

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