

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN FRANCISCO

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Case Number: CPF-16-515308

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ORDER

COMMISSION ON JUDICIAL PERFORMANCE VS. ELAINE M. HOWLE ET AL

001C05903537

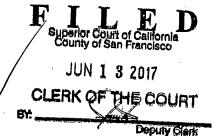
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SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO UNLIMITED JURISDICTION

Case No. CPF-16-515308

STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE AND PAGE LIMITS

STIPULATION AND PROPOSED ORDER REGARDING BRIEFING SCHEDULE AND PAGE LIMITS

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STIPULATION AND [PROPOSED ORDER] REGARDING BRIEFING SCHEDULE AND PAGE LIMITS

The parties, through their respective counsel of record, make and submit the following stipulation:

WHEREAS, on October 20, 2016, Petitioner Commission on Judicial Performance ("Petitioner") filed a Petition for Writ of Prohibitory Mandate, Or In The Alternative, Complaint for Declaratory and Injunctive Relief;

WHEREAS, on November 21, 2016, Respondents Elaine M. Howle, in her official capacity as California State Auditor, and the California State Auditor's Office ("Respondents") filed an Answer to Petitioner's Petition for Writ of Prohibitory Mandate, Or In The Alternative, Complaint for Declaratory and Injunctive Relief;

WHEREAS, commencing on February 17, 2017 and ending on May 12, 2017, the parties engaged in discovery;

WHEREAS, Petitioner is ready to proceed on the merits of the Petition for Writ of Prohibitory Mandate, Or In The Alternative, Complaint for Declaratory and Injunctive Relief;

WHEREAS, pursuant to San Francisco Ct. R. 8.1(A)(3)(a), a petition for writ of mandate is adjudicated in this Court by a motion in the law and motion department;

WHEREAS, pursuant to pursuant to San Francisco Ct. R. 8.1(A)(3)(a), the merits of Petitioner's Petition for Writ of Prohibitory Mandate, Or In The Alternative, Complaint for Declaratory and Injunctive Relief will be heard in front of the law and motion department of this Court and the hearing will effectively serve as the trial for this matter;

WHEREAS, the parties met and conferred regarding an appropriate briefing schedule and page limits for briefing;

WHEREAS, as per the parties' meet and confer efforts, Petitioner reserved a hearing in the law and motion department of this Court for August 4, 2017, reservation #06020804-06.

WHEREAS, the parties anticipate that their briefs will have extensive content and exhibits and agree the standard law and motion deadlines and page limits will not afford the

1	parties enough time or pages to prepare adequate briefing;		
2	THEREFORE, THE PARTIES AGREE AND STIPULATE THAT, subject to the		
3	Court's approval, the following deadlines shall apply:		
4	1. June 26, 2017 – Deadline to file and serve Petitioner's motion for issuance of the		
5	requested writ and supporting papers;		
6	2. July 12, 2017 – Deadline to file and serve Respondents' opposition brief to Petitioner's		
7	motion;		
8	3. July 21, 2017 – Deadline to file and serve Petitioner's reply brief;		
9	4. August 4, 2017 – Hearing on Petitioner's motion for issuance of the requested writ;		
10	THE PARTIES FURTHER AGREE AND STIPULATE THAT, subject to the Court's		
11	approval, the following page limits shall apply:		
12	1. Petitioner's motion – 20 pages		
13	2. Respondents' opposition – 40 pages		
14	3. Petitioner's reply – 20 pages		
15			
16	IT IS SO STIPULATED.		
17			
18	Dated: June 12, 2017 KERR & WAGSTAFFE LLP		
19	By: Oumer M. Wastelle		
20	JAMES M. WAGSTAFFE		
21	Attorneys for Petitioner/Plaintiff,		
22	COMMISSION ON JUDICIAL PERFORMANCE		
23			
24	Dated: June, 2017 MOSKOVITZ APPELLATE TEAM		
25	By: Moshowy		
26	MYRON MOSKOVITZ		
27	Attorneys for Respondents/Defendants, ELAINE HOWLE, in her official capacity as		
28	CALIFORNIA STATE AUDITOR, and the CALIFORNIA STATE AUDITOR'S OFFICE		

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STIPULATION AND PROPOSED ORDER REGARDING BRIEFING SCHEDULE AND PAGE LIMITS

1	IT IS SO ORDERED.	4
2		Mild Blog.
3	Dated: June <u>(3</u> , 2017	JUDGE OF THE SUPERIOR COURT
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6		HON. RICHARD ULMER
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