

FEB 17 2009

JOHN MENDES  
EXECUTIVE OFFICER & CLERK

By Nicki Cebulski Deputy

1 Michael W. Graf (CA Bar # 136172)  
2 227 Behrens Street  
3 El Cerrito, California 94530  
4 Tel: (510) 525-7222  
5 Fax: (510) 525-1208

Attorneys for Petitioner and Plaintiff

6 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

7 IN AND FOR THE COUNTY OF PLACER

8 MEADOW VISTA PROTECTION , a non-profit )  
9 corporation, )

10 Petitioner and Plaintiff, )

11 vs. )

12 COUNTY OF PLACER, PLACER COUNTY )  
13 BOARD OF SUPERVISORS and DOES 1 )  
through 10, )

14 Respondents and Defendants )

15 \_\_\_\_\_ )  
16 CHEVREAUX AGGREGATES, INC.; and )  
17 DOES 11 through 100, )

18 Real Party in Interest and Defendant )  
19 \_\_\_\_\_ /

Case No. SCV - 22244

**STIPULATION AND [PROPOSED]  
ORDER ESTABLISHING REVISED  
BRIEFING SCHEDULE AND  
HEARING DATE**

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2 Petitioner MEADOW VISTA PROTECTION, Respondents COUNTY OF PLACER and  
3 PLACER COUNTY BOARD OF SUPERVISORS, and Real Party in Interest CHEVREAU  
4 AGGREGATES, INC. (collectively the "parties"), stipulate and agree as follows:

5 1. Due to a delay with the commercial reproduction company employed to copy the  
6 administrative record, the record was not served and lodged when previously anticipated.  
7 Accordingly, the parties have agreed to modify the briefing schedule, as set forth herein, due to  
8 the delay in reproducing the record.

9 2. Respondents agree to certify and lodge the record with the Court on or before  
10 January 9, 2009. The record shall be in electronic format. Parties may file excerpts from the  
11 record as attached appendices to their briefing. Any dispute as to the content of the record shall  
12 be resolved through the filing of a motion to augment or strike filed with any of the parties'  
13 opening or opposition briefs as set forth below.

14 3. The parties shall adhere to the following briefing schedule and page limits:

- 15 a. Petitioner shall file its opening brief on or before February 9, 2009  
16 not in excess of 30 pages.
- 17 b. Respondent and Real Party shall file their opposition briefs on or before March  
18 13, 2009 not in excess of 30 pages each.
- 19 c. Petitioner shall file its Reply Brief on or before March 27, 2009 not in  
20 excess of 20 pages.
- 21 d. Each party reserves the right to apply to the Court for filing a brief in  
22 excess of the page limits discussed above.

23 4. The parties shall serve all briefs either (a) by overnight express mail, (b) by regular  
24 mail and e-mail of a pdf file on the date of filing, or (c) personal delivery on the day of filing.

25 5. The parties have conferred and agree to the existing hearing date of April 24, 2009  
26 at 1:30 p.m. in Department 42.

27 6. The parties request that the Court reserve two hours for the trial.

28 7. The purpose of this stipulation is to establish a schedule for certifying and lodging

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the record, filing an answer, memoranda, and having the case heard. Nothing in this stipulation shall be construed as an admission or waiver with respect to any prayers for relief or affirmative defenses pled by the parties or by an appearance or consent to jurisdiction by any party.  
SO STIPULATED.

DATED: January \_\_, 2009

Law Offices

By: \_\_\_\_\_  
By: Michael W. Graf  
Attorneys for Petitioner

DATED: January 5, 2009

Law Offices

\_\_\_\_\_  
By: Richard Crabtree  
Attorney for Respondents

DATED: January \_\_, 2009

Law Corporation

\_\_\_\_\_  
By: Jay-Allen Eisen  
Attorney for Real Party in Interest

1 the record, filing an answer, memoranda, and having the case heard. Nothing in this stipulation  
2 shall be construed as an admission or waiver with respect to any prayers for relief or affirmative  
3 defenses pled by the parties or by an appearance or consent to jurisdiction by any party.

4 SO STIPULATED.

5 DATED: January 20, 2009

Law Offices

6  
7 By: 

By: Michael W. Graf  
Attorneys for Petitioner


8  
9 DATED: January \_\_, 2009

Law Offices

10  
11 By: Richard Crabtree  
Attorney for Respondents

12  
13 DATED: January 13, 2009

Law Corporation

14  
15 By:   
Attorney for Real Party in Interest

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[PROPOSED] Order

Pursuant to Cal. Rule of Court § 3.300 and upon application of the parties, the Court orders:

1. The parties shall adhere to the deadline for filing answer(s), record, briefing schedule and page limits set forth in this stipulation.
2. The trial date shall occur on April 24, 2009, at 1:30 p.m.
3. The parties' request that the Court reserve two hours for the trial is granted.
4. Petitioners shall serve a copy of this order on all parties.

SO ORDERED.

2/17/09

Charles Wachob

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JUDGE OF THE SUPERIOR COURT

P015 - Stipulation re Revised Briefing and Hearing Schedule.wpd