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8 Attorneys for Defendant
U.S. DEPARTMENT OF EDUCATION

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

12 US RIGHT TO KNOW,) No. 20-cv-09117-DMR
13 Plaintiff,)
14 v.) **STIPULATION TO CONTINUE INITIAL CASE**
) **MANAGEMENT CONFERENCE;**
15 UNITED STATES DEPARTMENT OF) **ORDER (AS MODIFIED)**
EDUCATION,)
16 Defendant.)
17

18 Plaintiff US Right to Know (“Plaintiff”) and defendant United States Department of Education
19 (“Defendant” or “Education Department”), by and through their undersigned counsel, hereby
20 STIPULATE and respectfully REQUEST that the Court continue the parties’ initial case management
21 conference (“CMC”) set for September 15, 2021 at 1:30 p.m. until **December 15, 2021 at 1:30 p.m.**

22 This stipulation is based on the following facts:

- 23 1. This action, filed on December 17, 2020 under the Freedom of Information Act
24 (“FOIA”), concerns one FOIA request that Plaintiff directed to the Education Department, dated July 6,
25 2020. ECF No. 1 ¶ 35; ECF No. 11 ¶ 35. The request seeks certain records that the University of Texas
26 System (“UT”) submitted to the Education Department pursuant to the Education Department’s request.
27 ECF No. 1 ¶ 36 & Ex. B. As the parties previously reported to the Court, since the filing of the lawsuit,
28 the Education Department has answered the complaint, the parties have met and conferred regarding the

1 FOIA request and the collection and processing of records, including by telephone and email, Defendant
2 completed the process of locating potentially responsive records, and the parties stipulated to a schedule
3 for processing these records and working in good faith to resolve all issues in this case, ECF No. 20,
4 which this Court entered as an order of the Court on April 15, 2021 (“Order”). ECF No. 21.

5 2. Since that time, the Education Department has timely made monthly productions of
6 records in accordance with the Order. These productions are ongoing. Accordingly, the parties stipulate
7 and respectfully request that the Court continue the parties’ initial CMC by three (3) months, from
8 September 15, 2021 until December 15, 2021, so that the parties can continue this process, as set forth in
9 the Order.

10 SO STIPULATED.

11 Respectfully submitted,

12 STEPHANIE M. HINDS
Acting United States Attorney

13 Dated: September 3, 2021

14 By: /s/ Savith Iyengar
SAVITH IYENGAR
Assistant United States Attorney
Attorney for Defendant

16 THE LAW OFFICES OF CHARLES M. TEBBUTT, P.C.

17 Dated: September 3, 2021

18 By: **/s/ Daniel C. Snyder
DANIEL C. SNYDER
Attorneys for Plaintiff

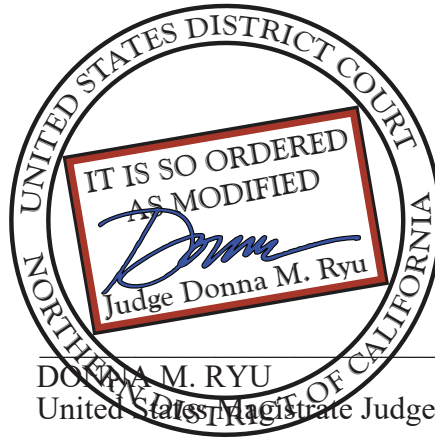
19 ** Pursuant to Civ. L.R. 5-1(i)(3), the filer of the document
20 has obtained approval from this signatory.

ORDER (AS MODIFIED)

IT IS HEREBY ORDERED that the Case Management Conference currently set for September 15, 2021 at 1:30 p.m. is continued until **December 15, 2021 at 10:00 a.m.** in Oakland, by Zoom videoconference. The parties shall submit a joint case management conference statement December 8, 2021.

by

Dated: September 7, 2021



DONNA M. RYU
United States Magistrate Judge

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