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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

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| GUY MONTAG DOE, NATIONAL RIFLE ASSOCIATION OF AMERICA, INC., CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS. |) CASE NO. CV-08-03112 TEH)) MOTION TO ENLARGE TIME TO) FILE PLAINTIFFS' MOTION TO) PROCEED ANONYMOUSLY |
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Plaintiffs

VS.

Dept.: Courtroom 12 19th Floor

SAN FRANCISCO HOUSING
AUTHORITY, MIRIAM SAEZ, IN
HER OFFICIAL CAPACITY,
HENRY ALVAREZ III, IN HIS
OFFICIAL CAPACITY, CITY AND
COUNTY OF SAN FRANCISCO,
GAVIN NEWSOM, IN HIS
OFFICIAL CAPACITY, JOHN
STEWART COMPANY, AND
DOES 1-10.

Defendants.

Plaintiffs Guy Montag Doe, et. al., hereby move this court, pursuant to Civil Local Rules 6-1 and 6-3, to enlarge the time allowed for Plaintiffs to file their Motion to Proceed Anonymously by forty-five (45) days.

This court previously set August 11, 2008 as the deadline for Plaintiffs to file their Motion to Proceed Anonymously. However, Plaintiffs and Defendants are

1 currently engaged in settlement negotiations and discussions to dismiss Defendants
2 City and County of San Francisco and Gavin Newsom from this suit. Plaintiffs
3 have not requested a continuance of any deadlines thus far in this litigation.

4 Should current negotiations between the parties result in settlement of this case,
5 Plaintiffs will not move forward with their Motion to Proceed Anonymously.

6 Based on the foregoing, Plaintiffs contacted Defendants to request that each
7 stipulate to enlarge time for this deadline. Defendant San Francisco Housing
8 Authority, by and through its attorney, Tim Larsen, informed Plaintiffs that he
9 would be willing to stipulate on this issue. Defendant City and County of San
10 Francisco, by and through its attorney, Wayne Snodgrass, informed Plaintiffs that
11 he did not wish to stipulate and thereby enter a general appearance, but would not
12 oppose Plaintiffs' motion.

13 Plaintiffs have been unable to contact counsel for Defendant John Stewart
14 Company after repeated attempts. It is Plaintiffs' belief that they are unable to
15 communicate with counsel for Defendant John Stewart Company because
16 Defendants have not been served with a complaint in this action. Defendants have
17 not been served with a Complaint in this action due to the fact that Plaintiffs are
18 engaged in ongoing negotiations with Defendants San Francisco Housing
19 Authority and City and County of San Francisco that will likely result in the release
20 of the City and County of San Francisco from this suit and the filing of an amended
21 complaint. The filing of an amended complaint by Plaintiffs, and likewise the
22 substance thereof, is dependant upon the outcome of current negotiations between
23 the parties.

24 Plaintiffs nonetheless informed several of Defendants' employees, in their
25 efforts to contact counsel, of the reason for Plaintiffs contact and their intentions to
26 seek a continuance of this deadline. Likewise, Tim Larsen informed Plaintiffs that
27 he notified Defendant John Stuart Company of the ongoing discussions between
28 the parties and Plaintiffs intention to seek an enlargement of time for this deadline.

1 Accordingly, the parties are unable to stipulate on this issue, though Plaintiffs
2 informed each of Defendants of their intention to file a motion with this court
3 requesting an extension of forty-five days and Defendants are not opposed.

4 In light of the ongoing negotiations between the parties, the efforts
5 undertaken by Plaintiffs to stipulate on this issue, and in the interests of efficiency
6 an judicial economy, Plaintiffs hereby move to extend Plaintiffs' deadline to file its
7 Motion to Proceed Anonymously until September 25, 2008.

8 As noted, Defendants have not yet been served with a complaint in this matter
9 and Defendants are unopposed to Plaintiffs' motion. For these reasons, Defendants
10 are not being served with this motion and Plaintiffs respectfully request that the
11 court grant Plaintiffs motion at this time.

12 Pursuant to Local Rule 6-3, Plaintiffs' motion is based on: 1) the attached
13 Declaration of C. D. Michel; 2) the record to date in this matter; and 3) the attached
14 Proposed Order setting forth September 10, 2008 as the new deadline by which
15 plaintiffs must file their Motion to Proceed Anonymously.

16 Date: August 8, 2008

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19 C. D. Michel
20 Attorney for Plaintiffs
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