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DEPARTMENT OF JUSTICE

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May 25, 2011

The Honorable Susan Ilston
United States District Judge
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

RE: *Haynie v. Harris, et. al.* - Case No. 10-cv-1255-SI
Request to Re-Set Hearing on Defendants' Motion to Dismiss to August 5 or 12

Dear Judge Ilston:

By order dated May 24, 2011, the hearing on Defendants' Motion to Dismiss was continued from June 10 to July 1, 2011. I am writing to request that the hearing be re-scheduled to August 5 or 12, 2011.

I am unavailable to argue the motion on July 1, as I will be on a pre-paid vacation to Italy at that time. I return to work on July 13, 2011.

I have consulted counsel for Plaintiffs, Mr. Kilmer, and he has no objection to moving the hearing to either August 5 or 12, 2011. In addition, I have consulted the Court's website, and it appears that the Court is available on both of the proposed dates.

Thank you in advance for your consideration of this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. C. Moody", is written over the typed name.

ROSS C. MOODY
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

RCM:

cc: Donald Kilmer

SA2010101060

Motion continued to 8/5/11 at 9:00 a.m.