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19 CITY OF BERKELEY

20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

22 UNITED STATES POSTAL SERVICE,

23 Plaintiff,

24 v.

25 CITY OF BERKELEY,

26 Defendant.

Case No. 3:16-cv-04815-WHA

DECLARATION OF ANDREW W. SCHWARTZ IN SUPPORT OF STIPULATION AND [PROPOSED] ORDER MODIFYING CASE MANAGEMENT ORDER

The Hon. William Alsup

Trial Date: December 4, 2017

DECLARATION OF ANDREW W. SCHWARTZ

I, Andrew W. Schwartz, declare as follows:

1. I am an attorney licensed to practice in the State of California and a partner at Shute, Mihaly & Weinberger LLP, attorneys for Defendant City of Berkeley. I have personal knowledge of the facts set forth herein, except as to those stated on information and belief, and as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

2. I hereby attest that prior to filing the Stipulation and [Proposed] Order Modifying Case Management (Docket #72) submitted on September 29, 2017, I obtained concurrence in the filing from the other Signatory.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed October 2, 2017, at San Francisco, California.

_____/s/_____
Andrew W. Schwartz