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 Secretary of United States Department of Agriculture
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8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10	TIPAKSORN TUNGJUNYATHAM,)	1:06-cv-01764-SMS
)	
11	Plaintiff,)	STIPULATION EXTENDING HEARING
)	ON DISPOSITIVE MOTION AND
12	v.)	SETTLEMENT CONFERENCE; ORDER
)	
13	MIKE JOHANNNS, SECRETARY OF)	
	UNITED STATES DEPARTMENT OF)	
14	AGRICULTURE AGENCY,)	
)	
15	Defendant.)	
)	

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 17 Plaintiff Tipaksorn Tungjunyatham ("Plaintiff") and
 18 defendant Mike Johanns, Secretary of the United States Department
 19 of Agriculture ("Defendant"), stipulate to continue the hearing
 20 on Defendant's Motion for Summary Judgment, or in the
 21 alternative, Summary Adjudication, currently set for September 4,
 22 2009 at 9:30 a.m. to September 25, 2009 at 9:30 a.m. as well as
 23 continue the Settlement Conference currently set for September 14
 24 at 10:00 a.m. to October 15, 2009 at 2:00 p.m. as specifically
 25 set forth below.

26 The parties base this stipulation on good cause as
 27 Plaintiff's son and mother-in-law are ill. Plaintiff's

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1 obligations do not allow for the hearing on Defendant's Motion
2 for Summary Judgment and settlement conference to proceed on the
3 dates scheduled. Plaintiff seeks to continue the hearing on
4 Defendant's Motion for Summary Judgment, or in the alternative,
5 Summary Adjudication to the dates referenced above. No other
6 dates in this action are affected by this brief extension of the
7 hearing on Defendant's dispositive motion and the settlement
8 conference.

9 For the reasons set forth herein, the parties therefore
10 stipulate and agree to continue the hearing on Defendant's
11 dispositive motion and the settlement conference as specified
12 below. The parties request the court endorse this stipulation by
13 way of formal order.

	<u>Old Date</u>	<u>New Date</u>
16 Hearing on Dispositive 17 Motion	September 4, 2009	September 25, 2009 @9:30 a.m. before Judge Snyder in Courtroom #7
19 Settlement Conference	September 14, 2008	October 15, 2009 @2:00 p.m. before Judge Beck in Courtroom #9

22 Dated: August 12, 2009

23 Respectfully submitted,

24 Tipaksorn Tungjunyatham
25 (As authorized, 8/12/09)

LAWRENCE G. BROWN
United States Attorney

26 /s/ Tipaksorn Tungjunyatham
27 TIPAKSORN TUNGJUNYATHAM
Pro Se Plaintiff

/s/ Alyson A. Berg
ALYSON A. BERG
Attorneys for Defendant

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IT IS SO ORDERED.

Dated: August 13, 2009

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE