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5 Attorneys for Defendant
 JEFFREY GARCIA, O.D.,
 6 sued as DR. GARCIA

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UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 FRESNO DIVISION

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ANTHONY CRAIG HUCKABEE,

CASE NO. 1:09-cv-00749-LJO-BAM

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Plaintiff,

**STIPULATION RE FILING OF
 AMENDED MOTION TO DISMISS AND
 PROPOSED ORDER**

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vs.

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RALPH M. DIAZ, et al.

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Defendants.

Magistrate Judge: Barbara A. McAuliffe

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After reviewing Plaintiff's opposition to the motion to dismiss filed by Defendant Jeffrey Garcia, O.D. (sued as Dr. Garcia), counsel for Dr. Garcia discovered errors he made in the original motion. To correct those errors, counsel for Dr. Garcia requires additional time to obtain and present accurate facts to the Court, namely records from the California Board of Optometry.

Counsel for Plaintiff is withdrawing from representation of plaintiff. To avoid potential prejudice to Plaintiff, the parties agree Dr. Garcia's corrected motion to dismiss should not be filed until ten days after the Court addresses the request to withdraw by counsel for Plaintiff (subject to further order of the Court).

