## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 DARRELL ARCHER and KEITHA Case No.: 1:12-cv-00261 - AWI - JLT DARQUEA, 12 STIPULATION AND ORDER SETTING ASIDE Plaintiffs, THE ENTRY OF DEFAULT 13 v. 14 J.E. BURKE CONSTRUCTION, INC., et al., 15 Defendants. 16 17 18 **RECITALS** 19 WHEREAS, the plaintiffs filed the First Amended Complaint in the above-entitled action on 20 May 15, 2012; and 21 WHEREAS, on August 22, 2012, the Court filed its Findings And Recommendations 22 dismissing certain claims and defendants; and, 23 WHEREAS, on September 11, 2012, the Court filed its Order Adopting Findings And 24 Recommendations In Full and dismissing certain claims and defendants; and, 25 WHEREAS, on December 18, 2012, plaintiffs' Summons and First Amended Complaint was 26 served on Defendant JOSEPH BURKE, with an answer due by January 8, 2013; and, 27 WHEREAS, on December 18, 2012, plaintiffs' Summons and First Amended Complaint was 28 served on Defendant J. E. CONSTRUCTION, INC., with an answer due by January 8, 2013; and,

1	DATED: Ap	pril 30, 2014	ROBINSON & KELLAR
2			By
3			MICHAEL C. KELLAR Attorneys for Defendant, JILL GIPSON, a public employee
4			JILL GIPSON, a public employee
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6	<u>ORDER</u>		
7	Based upon the stipulation of the parties, IT IS HEREBY ORDERED:		
8	1.	The defaults entered aga	inst Defendants Joseph Burke and J.E. Construction, Inc. on
9		January 31, 2014, are he	reby <b>SET ASIDE</b> ; and
10	2.	Defendants Joseph Burk	e and J.E. Construction <b>SHALL</b> file an Answer to Plaintiffs'
11		First Amended Complain	nt within fourteen days of the date of service of this Order.
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13	IT IS SO ORDERED.		
14	Dated:	June 5, 2014	/s/ Jennifer L. Thurston
15			UNITED STATES MAGISTRATE JUDGE
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