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 9 *Of Counsel*

10 Attorneys for the United States of America
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12 IN THE UNITED STATES DISTRICT COURT FOR THE
 13 EASTERN DISTRICT OF CALIFORNIA

14 THE BANK OF NEW YORK MELLON,)	
)	Civil No. 1:12-CV-1194-AWI-GSA
15 Plaintiff,)	
16 v.)	STIPULATION AND ORDER TO CONTINUE
)	JOINT SCHEDULING CONFERENCE
17 UNITED STATES, et al,)	
)	Date: September 27, 2012
18 Defendants.)	Time: 10:00am
)	Courtroom #10 (6th Floor)
)	GARY S. AUSTIN
)	US MAGISTRATE JUDGE

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 22 Pursuant to the Order Setting Mandatory Scheduling Conference dated July 20, 2012, the parties
 23 are ordered to submit a Joint Scheduling Report one week prior to the Scheduling Conference currently
 24 set for September 27, 2012.

25 Because Plaintiff and the United States have reached a resolution of this case, Plaintiff and the
 26 United States request that the Joint Scheduling Conference be continued by 60 days for the parties to
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1 finalize their agreement and file the necessary documents with the court.

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3 IT IS HEREBY STIPULATED, by and between Plaintiff and the United States, by and through
4 their respective counsel, that:

5 The Scheduling Conference in this action, previously scheduled for September 27, 2012, should
6 be continued by 60 days to such time and date as may be set by the Court, and that the Joint Scheduling
7 Report be due one week prior to that date.

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9 DATED: September 18, 2012.

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11 KATHRYN KENEALLY
Assistant Attorney General

12 By:

13 /s/ Boris Kukso
BORIS KUKSO
14 Trial Attorney, Tax Division
U.S. Department of Justice

15 BENJAMIN B. WAGNER
16 United States Attorney

Attorneys for the United States

17 Dated: September 18, 2012

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19 MATTHEW D. OWDOM, Esq.
20 Law Offices of Michael J. Lampe
108 West Center Avenue
21 Visalia, California 93291

22 Attorneys for Plaintiff

23
24 **ORDER**

25 The Court having reviewed the above Stipulation, and good cause appearing,

26 IT IS HEREBY ORDERED that the Scheduling Conference in this action is continued to
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1 November 28, 2012, at 9:30 am in Courtroom 10, and a Joint Scheduling Report shall be filed one full
2 week prior to the Scheduling Conference.

3 IT IS SO ORDERED.

4 **Dated:** September 19, 2012

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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