

1 BENJAMIN B. WAGNER  
 United States Attorney  
 2 BENJAMIN E. HALL  
 Assistant United States Attorney  
 3 2500 Tulare Street, Suite 4401  
 Fresno, CA 93721  
 4 Telephone: (559) 497-4000  
 Facsimile: (559) 497-4099  
 5

6 Attorneys for Defendants

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 9 IN THE UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA  
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12 David Shayne Heine, California Veal Tech, Inc.  
 a California corporation,

13 Plaintiffs,

14 v.

15 Tim Vilsack in His Official Capacity as United  
 16 States Secretary of Agriculture, United States  
 Department of Agriculture, United States  
 17 Department of Agriculture Food Safety and  
 Inspections Service, Yudhbir Sharma, DVM,  
 18 USDA Employee Known Only as "Dr. Pannu,"  
 USDA Employee Known only as "Ken,"USDA  
 19 Employee Known only as "Dr. Redding,"  
 USDA Employee Known Only as "Dr.  
 20 Henley," Dr. Amy Lieder, Penny Patrali and  
 DOES 1-100 inclusive,

21 Defendants.  
22

Case No. 1:12-CV-01992-AWI-SMS

**STIPULATION AND ORDER  
 REGARDING AMENDMENT OF  
 COMPLAINT**

23 Plaintiffs, David Shayne Heine and California Veal Tech, Inc. ("Plaintiffs"), and Defendant  
 24 United States Department of Agriculture ("USDA"), hereby stipulate and agree as follows:

- 25 1. In their Complaint (Doc. 1), Plaintiffs assert claims against the USDA and the  
 26 Secretary of Agriculture in his official capacity. The Complaint also names as defendants several  
 27 individual USDA employees. As of the date of this filing, only one of those individual defendants,  
 28 Dr. Inderjeet Pannu, has been served with the Summons and Complaint.

1 2. The parties are engaged in discussions regarding the propriety of certain claims  
2 asserted in the Complaint, particularly the claims asserted against individual USDA employees. The  
3 United States contends that certain claims are not properly asserted here, and the Plaintiffs are  
4 considering whether to make amendments to the Complaint that would remove or amend certain  
5 causes of action.

6 3. The parties respectfully request that in the interest of justice and to avoid a  
7 burdensome round of motion practice that could be avoided by amendment of the Complaint, the  
8 Court order that (1) Plaintiffs' First Amended Complaint, if any, shall be filed on or before July 12,  
9 2013; and (2) the response of defendants Dr. Inderjeet Panu and USDA to the Complaint or First  
10 Amended Complaint, as applicable, shall be filed on or before August 30, 2013.

11  
12 Dated: June 18, 2013

Respectfully submitted,

BENJAMIN B. WAGNER  
United States Attorney

/s/ Benjamin E. Hall  
BENJAMIN E. HALL  
Assistant U.S. Attorney  
Attorney for Defendants

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16 Dated: June 18, 2013

THE ZUMWALT LAW FIRM, APC.

[E-signature authorized June 17, 2013]

/s/ Graham S. Lopez  
GRAHAM S. LOPEZ  
Attorneys for Plaintiffs

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20 **ORDER**

21 Good cause appearing, IT IS HEREBY ORDERED as follows:

22 1. Plaintiffs' First Amended Complaint, if any, shall be filed on or before July 12, 2013.

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24 2. The response of defendants Dr. Inderjeet Panu and USDA to the Complaint or First  
25 Amended Complaint, as applicable, shall be filed on or before August 30, 2013.

26  
27 Dated: June 20, 2013

/s/ SANDRA M. SNYDER  
HONORABLE SANDRA M. SNYDER  
UNITED STATES MAGISTRATE JUDGE