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Attorneys for Plaintiffs,
JOSEPH ROBERT McCLINTIC, an individual, by and through his
Guardian ad Litem, MARLENE A. HUBBELL, and MARLENE A.
HUBBELL in her capacity as co-trustee of the JOSEPH ROBERT
McCLINTIC LIVING TRUST

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

JOSEPH ROBERT McCLINTIC, an
individual, by and through his Guardian ad
Litem, MARLENE A. HUBBELL, and
MARLENE A. HUBBELL in her capacity as
co-trustee of the JOSEPH ROBERT
McCLINTIC LIVING TRUST,

Plaintiffs,

vs.

UNITED STATES POSTAL SERVICE;
BERTHA CERVANTES, individually and in
her official capacity; and DOES 1 THROUGH
50, inclusive,

Defendants.

Case No. **1:13-cv-00439-LJO-GSA**

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING
ON MOTION TO DISMISS AND
SCHEDULING CONFERENCE**

IT IS HEREBY STIPULATED by and between the parties, Plaintiffs, JOSEPH
ROBERT McCLINTIC, an individual, by and through his Guardian ad Litem, MARLENE A.
HUBBELL, and MARLENE A. HUBBELL in her capacity as co-Trustee of the JOSEPH
ROBERT McCLINTIC LIVING TRUST (collectively referred to as "Plaintiffs") and
Defendant BERTHA CERVANTES ("Defendant", and collectively referred to herein as "the
Parties"), by and through their respective attorneys of record as follows:

1. The purpose for this Stipulation is because Plaintiffs' counsel, Bonnie J.
Anderson and Anderson Law Offices, PC, will be withdrawing from representation of
Plaintiffs in this action and the Stipulation to Continue the hearing on Defendant's Motion to

1 Dismiss and to continue the January 8, 2014 Scheduling Conference will provide sufficient
2 time for Plaintiffs to retain new counsel and for that counsel to become familiar with this
3 action, prepare an opposition to the pending Motion to Dismiss and prepare a further amended
4 Joint Scheduling Conference Statement with Defendant's counsel.

5 2. Defendant's Motion to Dismiss, currently set for hearing on December 5, 2013,
6 at 8:30 a.m., in Courtroom 4, is continued to February 6, 2014, at 8:30 a.m., in Courtroom 4.
7 Plaintiffs' opposing papers will be due not less than 14 calendar days prior to the date of the
8 continued hearing of February 6, 2014.

9 3. The continued Scheduling Conference currently set for January 8, 2014, at
10 10:00 a.m., in Courtroom 10, is continued to February 26, 2014, at 10:00 a.m., in Courtroom
11 10. The Parties will also file an Amended Joint Scheduling Conference Statement at least one
12 week prior to the continued scheduling Conference date.

13 4. The Parties also agree that, should any of the above-referenced proposed dates
14 be inconvenient or unacceptable for any reason, the Court has the discretion to set other dates
15 which are more convenient or acceptable. However, counsel request that, in any event, the
16 current proposed dates in this matter be continued to a time that is at least after February 5,
17 2014.

18 Dated: November 15, 2013.

ANDERSON LAW OFFICES, PC

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20 By: /S/ Bonnie J. Anderson
BONNIE J. ANDERSON
Attorneys for Plaintiffs, JOSEPH ROBERT
21 McCLINTIC, an individual, by and through his
Guardian ad Litem, MARLENE A. HUBBELL,
22 MARLENE A. HUBBELL in her capacity as
co-Trustee of the JOSEPH ROBERT
23 McCLINTIC LIVING TRUST

24
25 Dated: November 15, 2013.

LAW OFFICE OF JACOB J. RIVAS

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27 By: /S/ Jacob J. Rivas
JACOB J. RIVAS
Attorney for Defendant BERTHA CERVANTES
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1. Continue the hearing on Defendant BERTHA CERVANTES' Motion to Dismiss from December 5, 2013 at 8:30 a.m., to February 6, 2014, at 8:30 a.m., with Plaintiffs' opposing papers to be filed and served not less than 14 calendar days prior to the continued hearing date; and,

IT IS SO ORDERED.

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE