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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 HEATHER CASTILLO,
12 Plaintiff,
13 v.
14 UNITED STATES INTERNAL REVENUE
SERVICE,
15 Defendant.
16

Case No. 1:13-cv-00517-AWI-SKO
AMENDED STIPULATION AND ORDER
TO CONTINUE SCHEDULING
CONFERENCE

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18 The parties to this action hereby stipulate and request that the Mandatory Scheduling
19 Conference set for September 20, 2013, be continued to November 5, 2013, at 10 a.m. in Courtroom
20 7, for the reasons set forth below. Defendant has filed a Motion to Dismiss (Doc. 12), which the
21 Court took under submission without oral argument by order dated August 27, 2013 (Doc. 16). In
22 the motion, defendant asserts that the Complaint for Damages and Injunctive Relief: Lack of
23 Reasonable Accommodation Under the Rehabilitation Act of 1973 [29 U.S.C. § 701 *et seq.*] (Doc. 1)
24 names an improper defendant, seeks relief under the wrong statute, demands relief not available as a
25 matter of law, and asserts a claim over which the court lacks subject matter jurisdiction. The Court's
26 resolution of the pending motion will determine the parties, claims and remedies that will be the
27 subject of this litigation, if any, and the parties submit that the interests of judicial economy and
28 economy to the parties therefore would be best served by the requested continuance.

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Dated: September 18, 2013

Respectfully submitted,

BENJAMIN B. WAGNER
United States Attorney

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

Dated: September 18, 2013

LAW OFFICES OF STEPHEN LABIAK

[Authorized September 17, 2013]

/s/ Stephen Labiak
STEPHEN LABIAK
Attorney for Plaintiff

ORDER

IT IS SO ORDERED.

Dated: September 18, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE