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 10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION**

12 FARM CREDIT WEST, PCA,

13 Plaintiff,

14 v.

15 CASE LANTING, an individual; and, JANE
 LANTING, an individual

16 Defendants.
 17

Case No. 1:13-cv-00712-AWI-SMS

**ORDER ON STIPULATION
 RESOLVING PLAINTIFF'S MOTION
 TO DISMISS DEFENDANTS CASE AND
 JANE LANTING'S COUNTERCLAIM
 AND FRAUD DEFENSES, OR, IN THE
ALTERNATIVE, MOTION FOR A
MORE DEFINITE STATEMENT AS TO
 THE FRAUD DEFENSES**

Date: September 23, 2013
 Time: 1:30 p.m.
 Place: Courtroom 2
 2500 Tulare Street, Eighth Floor
 Fresno, CA 93721

1 The Court having read and considered the “*Stipulation Resolving Plaintiff’s Motion to*
2 *Dismiss Defendants Case and Jane Lanting’s Counterclaim and Fraud Defenses, or, in the*
3 *Alternative, Motion For a More Definite Statement as to the Fraud Defenses*” between Plaintiff
4 Farm Credit West, PCA (“**Plaintiff**”), on the one hand, and Defendants Case Lanting and Jane
5 Lanting (the “**Defendants**”), on the other hand (the “**Stipulation**”), hereby

6 **ORDERS, ADJUDGES, AND DECREES:**

- 7 1. The Stipulation is approved.
- 8 2. Plaintiff’s “*Motion to Dismiss Defendants Case and Jane Lanting’s Counterclaim*
9 *and Fraud Defenses, or, in the Alternative, Motion For a More Definite Statement as to the Fraud*
10 *Defenses*” (the “**Motion**”) set for a hearing on September 23, 2013, is hereby deemed withdrawn
11 without prejudice if Plaintiff has not previously filed a notice of withdrawal of the Motion.
- 12 3. The Defendants shall file a Second Amended Answer and Counterclaim by no later
13 than September 30, 2013.
- 14 3. Plaintiff will have thirty (30) days to file a response to the Second Amended Answer
15 and Counterclaim from the date of its filing.
- 16 4. The deadline to exchange the Initial Disclosures required by Rule 26(a)(1) of the
17 Federal Rules of Civil Procedure shall be forty-five (45) days either (i) from the filing of Plaintiff’s
18 Answer to the Second Amended Answer and Counterclaim, or (ii) from the entry of an order of the
19 Court ruling on Plaintiff’s motion challenging the sufficiency of the Second Amended Answer and
20 Counterclaim.
- 21 5. Plaintiff may seek fees and costs for the Defendants’ failure to timely file their
22 Second Amended Answer and Counterclaim by September 30, 2013, pursuant to 28 U.S.C. § 1927
23 for, *inter alia*, preparing a motion for default judgment.

24 IT IS SO ORDERED.

25 Dated: September 13, 2013



26 SENIOR DISTRICT JUDGE