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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICHARD NUWINTORE,
Plaintiff,
v.
UNITED STATES OF AMERICA, et al.,
Defendants.

Case No. 1:13-cv-00967-AWI-JLT
**ORDER GRANTING WITHDRAWAL OF
THE PLAINTIFF'S MOTION TO AMEND**
(Doc. 111)

The parties have agreed that the plaintiff may file a third amendment complaint. (Doc. 111 at 3-4) Thus, the plaintiff seeks to withdraw the motion to amend. (Doc.111) Consequently, the Court **ORDERS:**

1. The plaintiff's motion to withdraw the motion to amend the complaint (Doc. 111) is **GRANTED**. **No later than December 12, 2016**, the plaintiff **SHALL** file a third amended complaint;
2. The United States of America **SHALL** file a responsive pleading within 21 days after the filing of the third amended complaint. Because the third amended complaint makes no changes as to the defendant MTC, it need not file a responsive pleading.

IT IS SO ORDERED.

Dated: December 8, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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