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UNITED STATES
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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 CECIL HAMILTON and DIANNE
HAMILTON, Individually and as Successors,
12 DAMAGES FOR In Interest, ESTATE OF
WILLIAM E. HAMILTON, Decedent,
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Plaintiffs,
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v.
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UNITED STATES OF AMERICA,
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Defendant.
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CASE NO. 1:13-CV-01940 LJO-MJS

STIPULATION AND ORDER REGARDING
SECOND AMENDED COMPLAINT AND
SCHEDULING CONFERENCE

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19 Plaintiffs Cecil Hamilton and Dianne Hamilton, individually, and as Successors, Damages for in
20 Interest, Estate of William E. Hamilton, Decedent (“Plaintiffs”), and Defendant United States (“United
21 States”), stipulate, by and through the undersigned counsel, to allow Plaintiffs file a Second Amended
22 Complaint on or before August 11, 2014, and that the United States will have thirty (30) days from the
23 filing of the Second Amended Complaint to file its response. The parties also jointly request that the
24 Court continue the Scheduling Conference currently set for August 7, 2014 at 10:30 a.m. to October 30,
25 2014, at 11 a.m.

26 The parties base this stipulation on good cause, which includes the need for Plaintiffs to remove
27 the Estate as a party to the action and clarify their allegations and then allow the sufficient time for the
28 United States to review the allegations in the Second Amended Complaint and respond accordingly.

1 Because an operative pleading will not be on file at that date of the current Scheduling Conference, good
2 cause exists for a brief continuance of the Scheduling Conference to October 30, 2014, at 11 a.m.

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4 Dated: July 30, 2014

BENJAMIN B. WAGNER
United States Attorney

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6 By: /s/ Alyson A. Berg
7 ALYSON A. BERG
8 Assistant United States Attorney
Attorney for Defendant UNITED STATES

9 Dated: July 30, 2014

Law Office of David C. Anderson

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11 By: /s/ David C. Anderson
12 DAVID C. ANDERSON
13 Attorney for Plaintiffs

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15 **ORDER**

16 For good cause showing, IT IS HEREBY ORDERED that:

- 17 1. Plaintiffs shall file a Second Amended Complaint on or before August 11, 2014;
18 2. The United States shall have thirty (30) days from the filing of the Second Amended
19 Complaint to file its response.

20 3. The Scheduling Conference currently set for August 7, 2014 at 10:30 a.m., shall be
21 continued to October 30, 2014 at 11 a.m.

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24 IT IS SO ORDERED.

25 Dated: July 30, 2014

/s/ Michael J. Seng
26 UNITED STATES MAGISTRATE JUDGE
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