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6

7 **IN THE UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
9

10 DENNIS BEARD and KIMBERLY
BEARD,

11 Plaintiffs,

12 v.

13 UNITED STATES OF AMERICA
14 DEPARTMENT OF AGRICULTURE;
PELAYO LOGGING, INC; SIERRA
15 FOREST PRODUCTS; RIGHT-A-WAY AG
SERVICES, LCC, and DOES 1-50,

16 Defendants.
17

Case No. 1:14-cv-01045-GSA

**STIPULATION FOR EXTENSION OF
TIME TO RESPOND TO COMPLAINT
AND TO FILE ANY THIRD PARTY
CLAIMS; ORDER THEREON**

18
19 Plaintiffs filed their First Amended Complaint August 28, 2014. (Dkt. No. 7). The parties are
20 engaged in ongoing settlement discussions and hope to resolve a portion of this matter, which could
21 result in the dismissal of one or more defendants, before filing responsive pleadings or engaging in
22 pre-answer motion practice. Therefore, Plaintiffs and all Defendants, by and through their respective
23 counsel, and pursuant to Local Rule 144(a), hereby stipulate and agree that Defendants shall have an
24 extension of time up to and including October 24, 2014, to respond to Plaintiffs' First Amended
25 Complaint and file any third-party claims.

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28 ////

1 Respectfully submitted,

2 DATED: September 25, 2014

CORNWELL & SAMPLE LLP

3 By: Sher A. Beard (auth. on 09/25/2014)
4 Sher A. Beard, CA
5 Attorneys for Plaintiffs

6 DATED: September 25, 2014

BENJAMIN B. WAGNER
United States Attorney

7 By: /s/ Gregory T. Broderick
8 GREGORY T. BRODERICK
9 Assistant United States Attorney

10 DATED: September 25, 2014

RUSFORD & BONOTTO LLP

11 By: Phillip R. Bonotto (auth. on 09/25/2014)
12 Phillip R. Bonotto
13 Attorney for SIERRA FOREST PRODUCTS

14 DATED: September 25, 2014

STONE & ASSOCIATES, APC

15 By: Ronald F. Berestka (auth. on 09/25/2014)
16 Ronald F. Berestka
17 Attorney for PELAYO LOGGING, INC.

18 DATED: September 25, 2014

RANKIN, SPROAT, MIRES, BEATY &
REYNOLDS

19 By: Michael Reynolds (auth. on 09/25/2014)
20 Attorneys for RIGHT-A-WAY AG
21 SERVICES, LLC

22 **ORDER**

23 The Court adopts the parties' stipulation set forth above. Accordingly, Defendants shall
24 respond to Plaintiffs' First Amended Complaint and file any third-party claims on or before October
25 24, 2014.

26 IT IS SO ORDERED.

27 Dated: September 25, 2014

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE