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13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**

15 DANIEL HEALY,)
16 Plaintiff,) Case No. 1:14-CV-01224 JLT
17 v.)
18 TAFT FEDERAL CORRECTIONAL)
19 INSTITUTION, FEDERAL BUREAU OF)
20 PRISONS, MANAGEMENT & TRAINING)
21 CORPORATION,)
22 Defendants.)
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Plaintiff Daniel Healy (“Plaintiff”), Defendants United States of America (“United States”)¹, and Management & Training Corporation (“MTC”) (collectively “the parties”) stipulate, by and through the undersigned counsel, to extend the deadline for the United States and MTC to respond to the complaint to and including December 15, 2014.

The parties further agree to continue the date of the scheduling conference currently set for November 18, 2014 at 9:00 a.m. before Magistrate Judge Thurston in Bakersfield, California to February 13, 2015 at 9:00 a.m. before Magistrate Judge Thurston in Bakersfield, California.

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¹ The United States is the only proper federal defendant because federal agencies cannot be sued for tort claims. *See FDIC v. Meyer*, 510 U.S. 471, 476 (1994); *see also Pink v. Modoc Indian Health Project, Inc.*, 157 F.3d 1185, 1188 (9th Cir. 1998) (“Congress did not expressly authorize suits against federal agencies under the Federal Tort Claims Act.”).

1 The parties base this stipulation on good cause, which includes the need for United States to
2 review the allegations in the Complaint and respond accordingly.

3 Accordingly, the parties stipulate and agree to continue the time for the United States and MTC
4 to file a responsive pleading to the Complaint and the scheduling conference as specified below, and
5 base it on the above-stated good cause. The parties request the court to endorse this stipulation by way
6 of formal order.

	Old Date	New Date
7 Defendants' response 8 to Complaint 9 (United States and MTC)	November 21, 2014	December 15, 2014
9 Scheduling Conference	November 18, 2014	February 13, 2015 @9:00

10 Respectfully submitted,

11 Dated: November 5, 2014

BENJAMIN B. WAGNER
UNITED STATES ATTORNEY

/s/Alyson A. Berg
Alyson A. Berg
Assistant United States Attorney
Attorney for Defendant United States of America

16 Dated: November 5, 2014

WELEBIR, TIERNEY & WEEK, APLC

17 (As authorized 11/05/2014)

/s/Douglas Welebir
Douglas Welebir
Attorneys for Plaintiff Daniel Healy

19 Dated: November 4, 2014

BURKE, WILLIAMS & SORENSEN LLP

20 (As authorized 11/04/2014)

/s/Susan E. Coleman
Susan E. Coleman
Attorney for Defendant Management & Training
Corporation (MTC)

ORDER

Having reviewed the stipulation submitted by the parties, the court hereby extends the time for the United States and MTC to respond to the complaint to December 15, 2014. The scheduling conference currently set for November 18, 2014 is continued to **February 16, 2015** at 9:00 a.m.

IT IS SO ORDERED.

Dated: November 6, 2014

/s/ Jennifer L. Thurston

UNITED STATES MAGISTRATE JUDGE