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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 DANIEL HEALY,)
11 Plaintiff,) Case No. 1:14-CV-01224 JLT
12 v.) STIPULATION TO EXTEND TIME
13 TAFT FEDERAL CORRECTIONAL) TO RESPOND TO COMPLAINT AND
INSTITUTION, FEDERAL BUREAU OF) CONTINUE SCHEDULING
14 PRISONS, MANAGEMENT & TRAINING) CONFERENCE; AMENDED ORDER
CORPORATION,) (Doc. 11)
15 Defendants.)
16

17 Plaintiff Daniel Healy (“Plaintiff”), Defendants United States of America (“United States”)¹, and
18 Management & Training Corporation (“MTC”) (collectively “the parties”) stipulate, by and through the
19 undersigned counsel, to extend the deadline for the United States and MTC to respond to the complaint
20 to and including December 15, 2014.

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

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26 _____
27 ¹ The United States is the only proper federal defendant because federal agencies cannot be sued for
28 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 (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

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

15 Dated: November 5, 2014

WELEBIR, TIERNEY & WEEK, APLC

17 (As authorized 11/05/2014)
/s/Douglas Welebir
18 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
21 Susan E. Coleman
22 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 23, 2015** at 9:00 a.m.

IT IS SO ORDERED.

Dated: November 12, 2014

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE