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16 Attorneys for Defendant United States of America

17 **UNITED STATES DISTRICT COURT**
 18 **EASTERN DISTRICT OF CALIFORNIA**

19 STATE FARM MUTUAL AUTOMOBILE
 20 INSURANCE COMPANY,
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 22 Plaintiff,
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 24 v.
 25 UNITED STATES OF AMERICA,
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 27 Defendant.

Case No. 1:15-cv-00712-BAM
JOINT STIPULATION AND
[PROPOSED] ORDER CONTINUING
JOINT STATUS REPORT,
PRE-TRIAL HEARING AND COURT
TRIAL DATES

28 Plaintiff, by and through its counsel, and Defendant, United States of America, by and through its attorneys, constituting all the parties appearing in this action, through the undersigned counsel of record, hereby stipulate to continue the **Joint Status Report** from June 7th, 2016, to **June 21, 2016**, further stipulate to continue the **Pre-Trial Hearing** from June 14th, 2016, to **August 15, 2016**, and to further stipulate to continue the **Trial** from August 2, 2016, to a date suitable for the Court.

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1 Reason For Continuance. The parties are close to settling; however, the statute of
2 limitations for all claimants runs June 7, 2016. Therefore, the parties cannot enter into an official
3 settlement before June 7, 2016. As Plaintiff is awaiting confirmation of no other administrative
4 claims, the parties must wait until after June 7, 2016, to sign the FTCA settlement agreement.

5 Based upon the foregoing, the parties respectfully request the Court to order this case be
6 continued as outlined in this [Proposed] Order.

7 Now, therefore, **IT IS HEREBY STIPULATED** by and between all the parties to this
8 action as follows:

- 9 1. That the **Joint Status Report**, currently set for June 7, 2016, be continued to June 21,
10 2016; and
11 2. That the **Pre-Trial Hearing** in this action, currently set for June 14, 2016, be
12 continued to August 15, 2016.
13 3. That the **Trial** in this action, currently set for August 2, 2016, be continued to a date
14 suitable for the Court.

15 **SO STIPULATED:**

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17 DATED: June 2, 2016

CLERKIN, SINCLAIR & MAHFOUZ, LLP

/s/ Richard L. Mahfouz II

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19 BY: Richard L. Mahfouz II,
20 Attorneys for Plaintiff State Farm Mutual
Automobile Insurance Company

21 DATED: June 2, 2016

/s/ Jeffrey J. Lodge

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23 Jeffrey J. Lodge
24 Assistant U.S. Attorney
25 Attorney for Defendant
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2 **ORDER**

3 Based on the Joint Stipulation of the parties, and good cause appearing, **IT IS**
4 **ORDERED** that the Joint Status Report currently set for June 7, 2016, be and hereby is
5 continued to June 21, 2016. **IT IS FURTHER ORDERED** that the **Pre-Trial Conference**
6 **Hearing** in this action, currently set for June 14, 2016, be and hereby is continued to **August 15,**
7 **2016 at 10:00 AM** before Judge McAuliffe in Courtroom 8. **IT IS FURTHER ORDERED** that
8 the **Court Trial** in this action, currently set for August 2, 2016, be and hereby is continued to
9 **Tuesday, October 4, 2016 at 8:30 AM** before Judge McAuliffe in Courtroom 8.

10 **IT IS SO ORDERED.**

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12 IT IS SO ORDERED.

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14 Dated: June 7, 2016

/s/ Barbara A. McAuliffe
15 UNITED STATES MAGISTRATE JUDGE
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