

1 PHILLIP A. TALBERT  
United States Attorney  
2 PHILIP A. SCARBOROUGH (SBN 254934)  
Assistant United States Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 Telephone: (916) 554-2700  
Facsimile: (916) 554-2900  
5 Philip.Scarborough@usdoj.gov

6 Attorneys for the United States of America

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

10 DANIEL KIM, et al.

11 Plaintiffs,

12 v.

13 UNITED STATES OF AMERICA,

14 Defendant.

CASE NO. 1:16-CV-01656-LJO-SKO

JOINT STIPULATION TO CONTINUE  
SCHEDULING CONFERENCE AND ORDER

DATE: June 13, 2017

TIME: 10:30 a.m.

COURT: Courtroom 7, 6th Floor  
United States Courthouse  
2500 Tulare Street  
Fresno, CA 93721

JUDGE: Hon. Sheila K. Oberto

16  
17 The parties, plaintiffs Daniel Kim, Grace Kim, Hannah Kim, Francis S. Lee, and Vivian Lee, and  
18 defendant the United States of America, by and through their undersigned counsel, respectfully submit  
19 the following.

20 By order of the Court dated April 17, 2017, the Court continued the deadline for filing the joint  
21 scheduling report until June 6, 2017, and continued the initial scheduling conference until June 13, 2017,  
22 because the United States' Motion to Dismiss for Lack of Subject Matter Jurisdiction (ECF 19) was  
23 pending before the Court.

24 As of the time this joint stipulation is filed, the United States' motion to dismiss remains  
25 pending. The matter is fully briefed and was submitted for decision without oral argument. *See* ECF  
26 24. The parties jointly stipulate to continue the initial scheduling conference to August 15, 2017, or  
27 such other date as may be convenient for the Court, with the joint scheduling report to be filed one week  
28 prior to the scheduling conference.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Respectfully submitted,

Dated: June 1, 2017

PHILLIP A. TALBERT  
United States Attorney

By: /s/ Philip A. Scarborough  
PHILIP A. SCARBOROUGH  
Assistant United States Attorney  
Attorneys for the United States of  
America

Dated: June 1, 2017

GIRARDI KEESE



By: \_\_\_\_\_  
KELLY CHRISTINA WINTER  
Attorneys for Plaintiff

**ORDER**

Good cause appearing, the parties' above stipulated request to continue the initial scheduling conference (Doc. 26) is GRANTED. The scheduling conference currently set for June 13, 2017, at 10:30 a.m., is continued to August 22, 2017, at 10:15 a.m. in Courtroom 7 before Magistrate Judge Sheila K. Oberto. The parties shall file their joint scheduling report no later than August 15, 2017.

IT IS SO ORDERED.

Dated: June 6, 2017

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE