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

10 J.I.,

11 Plaintiff,

12 v.

13 UNITED STATES,

14 Defendant.

CASE NO. 1:18-CV-00363-LJO-SAB

JOINT STIPULATION AND ORDER TO
CONTINUE BRIEFING AND HEARING ON
UNITED STATES' MOTION TO CHANGE
VENUE

DATE: August 27, 2018

TIME: 8:30 a.m.

COURT: Courtroom 4, 7th Floor
2500 Tulare Street
Fresno, CA 93721

JUDGE: Hon. Lawrence J. O'Neill

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18 Plaintiff J.I. and defendant the United States jointly stipulate as follows.

19 On July 27, 2018, the United States filed a motion to change the venue of this action to the
20 United States District Court for the Western District of Texas. ECF 32.

21 On August 7, 2018, the Court stayed the limited discovery underway until the motion to transfer
22 was resolved. ECF 39.

23 On August 13, 2018, J.I. filed an opposition to the motion to change venue. ECF 40.

24 The United States' reply in support of its motion to change venue is due on August 20, 2018.
25 The hearing on that motion is currently set for August 27, 2018, at 8:30 a.m.

26 The parties wish to discuss the possibility of a negotiated resolution to this litigation. Those
27 discussions will be aided by a short continuance of the briefing schedule and hearing date for the
28

1 pending motion to change venue. Accordingly, the parties jointly stipulate as follows and respectfully
2 request that the Court adopt the schedule proposed below.

3 Hearing on the United States' motion to change venue (ECF 32) is continued to September 20,
4 2018, at 8:30 a.m.

5 The United States' reply in support of its motion to change venue shall be filed on or before
6 September 13, 2018.

7 This continuance is made without prejudice to either party's position on the pending motion to
8 change venue.

9 If the parties reach a negotiated resolution, they shall immediately file a notice to the Court
10 pursuant to Local Rule 160.

11 Respectfully submitted,

12 Dated: August 17, 2018

McGREGOR W. SCOTT
United States Attorney

14 By: /s/ Philip A. Scarborough
15 PHILIP A. SCARBOROUGH
16 Assistant United States Attorney
Attorneys for the United States

17 Dated: August 17, 2018

COBLENTZ PATCH DUFFY & BASS LLP

19 By: /s/ Jeffrey G. Knowles (as authorized on
20 August 17, 2018)
Jeffrey G. Knowles
Attorneys for Plaintiff J.I.

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ORDER

The parties have jointly stipulated to continue the briefing schedule on the United States' motion to change venue (ECF 32) so they can undertake settlement discussions. Good cause for the requested extension exists. Accordingly, the hearing on the motion to change venue (ECF 32) is continued to September 20, 2018, at 8:30 a.m. The United States' reply in support of its motion is due on September 13, 2018. This continuance shall be without prejudice to either party's position with respect to the motion to change venue. If the parties reach a negotiated resolution, they shall immediately file a notice to the Court pursuant to Local Rule 160.

IT IS SO ORDERED.

Dated: August 17, 2018

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE