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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 OF AMERICA, et al.,
14 Defendants.

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

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

15
16 Plaintiff J.I. and defendant the United States jointly stipulate as follows.

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

19 On August 7, 2018, the Court stayed the limited discovery underway until the motion to change
20 venue was resolved. ECF 39.

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

22 On August 20, 2018, the Court approved the parties' stipulation to continue the deadline for the
23 United States to file a reply in support of the motion to change venue to September 13, 2018, and the
24 hearing on that motion until September 20, 2018, at 8:30 a.m., so the parties could discuss the possibility
25 of a negotiated resolution to this litigation.

26 The parties have been engaged in settlement discussions and continue to discuss a potential
27 resolution to this litigation. Those discussions would be aided by an additional seven-day continuance
28 of the deadline for the United States to file its reply in support of the motion to change venue and the

1 hearing on that motion. Accordingly, the parties jointly stipulate as follows and respectfully request that
2 the Court adopt the schedule proposed below.

3 Hearing on the United States' motion to change venue (ECF 32) is continued to September 27,
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 20, 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
12 Respectfully submitted,

13 Dated: September 13, 2018

McGREGOR W. SCOTT
United States Attorney

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

17 Dated: September 13, 2018

COBLENTZ PATCH DUFFY & BASS LLP

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19 By: /s/ Jeffrey G. Knowles (as authorized on
20 September 13, 2018)
Jeffrey G. Knowles
Attorneys for Plaintiff J.I.

1 [PROPOSED] ORDER

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3 The parties have jointly stipulated to continue the briefing schedule on the United States' motion
4 to change venue (ECF 32) so they can continue settlement discussions. Good cause for the requested
5 extension exists. Accordingly, the hearing on the motion to change venue (ECF 32) is continued to
6 September 27, 2018, at 8:30 a.m. The United States' reply in support of its motion is due on September
7 20, 2018. This continuance shall be without prejudice to either party's position with respect to the
8 motion to change venue. If the parties reach a negotiated resolution, they shall immediately file a notice
9 to the Court pursuant to Local Rule 160.

10 IT IS SO ORDERED.

11 Dated: September 13, 2018

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