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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

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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 On September 14, 2018, the Court approved the parties' stipulation to continue the deadline for
27 the United States to file a reply in support of the motion to change venue to September 20, 2018, and
28 the hearing on that motion until September 27, 2018, at 8:30 a.m., so the parties could continue to

1 discuss the possibility of a negotiated resolution.

2 The parties have been engaged in settlement discussions and continue to discuss a potential
3 resolution to this litigation. Those discussions would be aided by an additional fourteen-day
4 continuance of the deadline for the United States to file its reply in support of the motion to change
5 venue and the hearing on that motion. Accordingly, the parties jointly stipulate as follows and
6 respectfully request that the Court adopt the schedule proposed below.

7 Hearing on the United States' motion to change venue (ECF 32) is continued to October 11,
8 2018, at 8:30 a.m.

9 The United States' reply in support of its motion to change venue shall be filed on or before
10 October 4, 2018.

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

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

15
16 Respectfully submitted,

17 Dated: September 19, 2018

McGREGOR W. SCOTT
United States Attorney

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19 By: /s/ Philip A. Scarborough
20 PHILIP A. SCARBOROUGH
Assistant United States Attorney

21 Dated: September 19, 2018

COBLENTZ PATCH DUFFY & BASS LLP

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23 By: /s/ Julia D. Greer (as authorized on
September 19, 2018)
24 JULIA D. GREER
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 continue settlement discussions. Good cause for the requested extension appears to exist. Accordingly, the hearing on the motion to change venue (ECF 32) is continued to October 11, 2018, at 8:30 a.m. The United States' reply in support of its motion is due on October 4, 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.

The Parties are warned that the Court will require a substantially more robust showing of cause for any future continuance of this nature.

IT IS SO ORDERED.

Dated: September 21, 2018

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