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 Attorneys for Defendant/Counter-Claimant
 Daniel G. Heath

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

12	UNITED STATES OF AMERICA,)	CASE NO. 2:90-cv-01585-EJG-JFM
13	Plaintiff,)	STIPULATION TO CONTINUE THE HEARING DATE FOR PLAINTIFF'S MOTION TO REOPEN CASE AND FOR ENTRY OF JUDGMENT & ORDER
14	v.)	
15	DANIEL G. HEATH, JOHN P. HEATH, and)	
16	MARY C. HEATH, Individually and dba OLE)	
17	ARABIANS, a General Partnership,)	
	Defendants.)	
18	_____)	
19	DANIEL G. HEATH, JOHN P. HEATH and)	
20	MARY C. HEATH,)	
21	Counter-claimants,)	
22	v.)	
23	UNITED STATES OF AMERICA,)	
24	Counter-defendant.)	
	_____)	

25 Pursuant to Local Rule 6-144(a), plaintiff United States of America and defendant Daniel G.
 26 Heath, by and through their respective counsel, request that the hearing date for plaintiff's Motion to
 27 Reopen Case and for Entry of Judgment which was filed July 30, 2009, be continued from September
 28 4, 2009, until October 16, 2009.

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Dated: August 13, 2009.

GOLDSBERRY, FREEMAN & GUZMAN, LLP

By: /s/ James T. Freeman
JAMES T. FREEMAN
Attorney for Defendant Daniel G. Heath

Dated: August 13, 2009.

LAWRENCE G. BROWN
UNITED STATES ATTORNEY

By: /s/ Kurt A. Didier
KURT A. DIDIER
ASSISTANT U.S. ATTORNEY
Attorney for Plaintiff United States of America

ORDER

IT IS SO ORDERED that the hearing date with respect to plaintiff's Motion to Reopen Case and for Entry of Judgment is continued from September 4, 2009, until October 16, 2009, at 10:00 a.m.

Dated: August 13, 2009

/s/ Edward J. Garcia
EDWARD J. GARCIA
UNITED STATES DISTRICT JUDGE

1 **Case Title: United States of America v. Heath, et al.**
2 **Case Number: 2:90-cv-01585-EJG-JFM**

3 PROOF OF SERVICE

4 I am a citizen of the United States and am employed in the County of Sacramento, State of
5 California. I am over the age of eighteen (18) and not a party to the within action. My business
6 address is 777 Twelfth Street, Suite 250, Sacramento, California 95814. I am familiar with the
7 business practices of the Law Offices of Goldsberry, Freeman & Guzman, LLP for collecting and
8 processing mail and know that the mail in said offices is collected and processed on the same date
9 as indicated below. I declare that I am employed in the offices of a member of the bar of this court
10 at whose direction the service was made.

11 On the date below, I served the foregoing document(s) described as:

12 **STIPULATION TO CONTINUE THE HEARING DATE FOR PLAINTIFF'S MOTION**
13 **TO REOPEN CASE AND FOR ENTRY OF JUDGMENT**

14 on the interested parties in this action by placing true copies thereof enclosed in a sealed envelope
15 addressed as follows:

16 Kurt A. Didier
17 John F. Gisla
18 U.S. Attorney's Office
19 501 I Street, Suite 10-100
20 Sacramento, CA 95814

21 John P. Heath
22 Mary C. Heath
23 Route 1
24 Box 103-B
25 Maricopa, CA 93252

26 XX (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed
27 in the United States mail at Sacramento, California.

28 _____ (PERSONAL SERVICE) I caused such envelope to be delivered by hand to the
offices of the addressee(s).

_____ (BY FEDERAL EXPRESS/GOLDEN STATE OVERNIGHT) I caused such
envelope with fees prepaid thereon to be delivered via Federal Express/Golden
State Overnight from Sacramento, California.

_____ (VIA FACSIMILE) I caused such document to be sent via facsimile to the above-
listed facsimile number(s) and thereafter caused a copy to be placed in the United
States mail at Sacramento, California.

29 I declare under penalty of perjury under the laws of the State of California that the
30 foregoing is true and correct. I declare that I am employed in the offices of a member of the bar of
31 this court at whose direction the service was made.

32 Executed August 13, 2009, at Sacramento, California.

33 _____
34 /s/ Diane Oliver
35 Diane Oliver