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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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DALE M. WALLIS, D.V.M., JAMES L. WALLIS, and HYGIEIA BIOLOGICAL LABORATORIES, INC., a California Corporation, NO. CIV. 08-02558 WBS GGH ORDER

Plaintiffs,

v.

CENTENNIAL INSURANCE COMPANY, INC., a New York corporation, ATLANTIC MUTUAL INSURANCE, CO., INC., a New York corporation,

Defendants,

\_\_\_\_\_ /

AND RELATED COUNTERCLAIMS AND THIRD-PARTY COMPLAINT.

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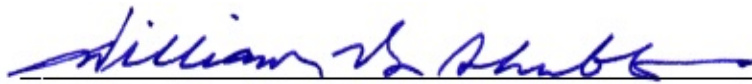
On February 28, 2013, the court granted defendant Atlantic Mutual's motion for judgment on the pleadings. (Feb. 28, 2013 Order (Docket No. 212).) The court allowed plaintiffs twenty days from the date of the Order to file an amended

1 complaint "consistent with [the] Order." (Id. at 20 (emphasis  
2 added).) After plaintiffs filed a First Amended Complaint  
3 ("FAC") on March 20, 2013 (Docket No. 214), defendants submitted  
4 an ex parte application to extend the trial date, dispositive  
5 motion cutoff, discovery completion, and discovery motion dates  
6 based upon the fact that the FAC added new claims. (Docket No.  
7 215.)

8 The court granted plaintiffs leave to amend to remedy  
9 the deficiencies in the pleading of their existing claims, not  
10 for the purpose of adding new claims. Upon review of the FAC, it  
11 is clear that plaintiffs have gone beyond that limited purpose.

12 Plaintiffs' FAC is therefore hereby ordered STRICKEN,  
13 and plaintiffs are given seven days from the date of this Order  
14 to file an amended complaint consistent with this Order and the  
15 court's February 28, 2013 Order. Defendants' ex parte  
16 application to extend the trial date, dispositive motion cutoff,  
17 discovery completion, and discovery motion dates is therefore  
18 DENIED as moot.

19 DATED: March 29, 2013

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22 WILLIAM B. SHUBB  
23 UNITED STATES DISTRICT JUDGE  
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