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

11 UNITED STATES OF AMERICA,  
 12 Plaintiff,

13 v.

14 JOSEPH J. DeKELLIS,  
 15 Defendant.  
 16

) CASE NO.:2:09-CV-01852-JAM-GGH-PS

) STIPULATION AND ORDER TO EXTEND  
 TIME FOR PARTIES TO FILE PLEADINGS  
 AND RESCHEDULE ORAL ARGUMENT

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 18 On June 4, 2010, this Court vacated Defendant’s Motion to Dismiss because it was not filed in  
 19 conformance with LR 78-230(b).

20 Plaintiff, the United States of America, and Defendant, Joseph J. DeKellis, hereby stipulate and  
 21 request that the Court enter an order as follows:

- 22 1. By no later than June 11, 2010, Defendant will refile his motion to dismiss together with a  
 23 notice of hearing. Said hearing will be set for July 29, 2010 at 10:00 a.m.  
 24 2. The United States will file its response or opposition to Defendant’s motion to dismiss and a  
 25 cross-motion for summary judgment by June 30, 2010.  
 26 3. Defendant’s reply memorandum and opposition to summary judgment will be filed by no  
 27 later than July 14, 2010; and  
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1 4. The United States' reply memorandum will be filed by July 21, 2010.

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3 Respectfully submitted,

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5 Dated: June 10, 2010

BENJAMIN B. WAGNER  
United States Attorney

6  
7 By: /s/ Ana Maria Martel  
ANA MARIA MARTEL  
Assistant United States Attorney

8  
9  
10 Dated: June 10, 2010

/s/ Joseph J. DeKellis  
JOSEPH J. DeKELLIS  
Defendant *in Pro Se*

11  
12  
13 **ORDER**

14  
15 IT IS SO ORDERED.

16 Dated: June 17, 2010

/s/ Gregory G. Hollows

17  
18 GREGORY G. HOLLOWS  
United States Magistrate Judge

19 dekellis.eot