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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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FREEDOM FROM RELIGION
FOUNDATION, INC.; PAUL STOREY;
BILLY FERGUSON; KAREN
BUCHANAN; JOSEPH MORROW;
ANTHONY G. ARLEN; ELISABETH
STEADMAN; CHARLES AND COLLETTE
CRANNELL; MIKE OSBORNE; KRISTI
CRAVEN; WILLIAM M. SHOCKLEY;
PAUL ELLCESSOR; JOSEPH
RITTELL; WENDY CORBY; PAT
KELLEY; CAREY GOLDSTIEN;
DEBORA SMITH; KATHY FIELDS;
RICHARD MOORE; SUSAN ROBINSON;
AND KEN NAHAGIAN,

NO. CIV. 2:09-2894 WBS DAD

ORDER

Plaintiffs,

v.

TIMOTHY GEITHNER, in his
official capacity as Secretary
of the United States
Department of the Treasury;
DOUGLAS SHULMAN, in his
official capacity as
Commissioner of the Internal
Revenue Service; and SELVI
STANISLAUS, in her official
capacity as Executive Officer
of the California Franchise
Tax Board,

Defendants.

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3 On February 11, 2011, this court granted the parties'
4 joint motion to stay the case pending the Supreme Court's
5 decision in Arizona Christian School Tuition Organization v.
6 Winn, --- U.S. ----, 130 S. Ct. 3350 (2010) (granting
7 certiorari). (Docket No. 81.) The Supreme Court issued its
8 opinion in that case on April 4, 2011. --- U.S. ----, 131 S. Ct.
9 1436 (2011).

10 Pursuant to the court's Status (Pretrial Scheduling)
11 Order of June 22, 2010 (Docket No. 71), all discovery is to be
12 completed by April 22, 2011, and all pretrial motions are to be
13 filed by June 3, 2011; the matter is currently set for a final
14 pretrial conference on August 22, 2011, and a bench trial on
15 October 25, 2011.

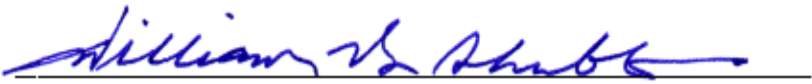
16 The parties have requested leave for defendants to file
17 motions challenging plaintiffs' standing in light of Winn with
18 the following deadlines: motions filed by May 27, 2011,
19 oppositions filed by June 17, 2011, and replies filed by July 1,
20 2011. (Joint Status Report at 2:21-23 (Docket No. 82).) The
21 parties request that the court continue the stay of all other
22 proceedings until those motions are resolved.

23 The court hereby grants the parties' request for the
24 above-described briefing schedule and continues the stay of all
25 other proceedings in this case until the forthcoming motions are
26 resolved. The motions will be set for hearing on July 18, 2011,
27 at 2:00 p.m. in Courtroom No. 5.

28 IT IS SO ORDERED.

1 DATED: April 21, 2011

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WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE