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12 Attorneys for Defendant FORWARD, INC.

14 **UNITED STATES DISTRICT COURT**

15 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

16 UNITED STATES OF AMERICA, and SAN  
 17 JOAQUIN VALLEY UNIFIED AIR  
 18 POLLUTION CONTROL DISTRICT,

19 Plaintiffs,

20 v.

21 FORWARD, INC.,

22 Defendant.

Case No.: 2:11-cv-00590 EFB

**STIPULATION AND ORDER GRANTING  
 LEAVE FOR DEFENDANT FORWARD,  
 INC. TO FILE FIRST AMENDED  
 ANSWER TO FIRST AMENDED  
 COMPLAINT; ORDER THEREON.**

[Complaint filed: March 3, 2011]

25 Defendant FORWARD, INC. (“Forward”), Plaintiffs UNITED STATES OF AMERICA,  
 26 and SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT, by and  
 27 through their respective counsel, stipulate as follows:  
 28

1           1.       Forward may amend its Answer to the First Amended Complaint by adding an  
2 Eighth Affirmative Defense, by correcting a mislabeled heading, and by withdrawing its demand for  
3 a jury trial. A First Amended Answer to the First Amended Complaint that includes this amendment  
4 is attached as Exhibit A.

5           2.       Within ten (10) days of the Court's execution of the Order granting Defendant leave  
6 to amend their Answer, Defendants shall file and serve a First Amended Answer (substantially in  
7 the form of Exhibit A) to the First Amended Complaint filed against them by Plaintiffs in this  
8 action.

9 DATED: July 27, 2011

BENJAMIN B. WAGNER  
United States Attorney

11                   /s/ Sylvia Quast  
12                   \_\_\_\_\_  
13                   SYLVIA QUAST  
14                   Assistant U.S. Attorney  
15                   Attorneys for the United States

14 DATED: July 27, 2011

SAN JOAQUIN VALLEY UNIFIED  
AIR POLLUTION CONTROL DISTRICT

16                   /s/ Catherine T. Redmond  
17                   \_\_\_\_\_  
18                   CATHERINE T. REDMOND  
19                   District Counsel  
20                   Attorneys for the San Joaquin Valley  
21                   Unified Air Pollution Control District

20 DATED: July 27, 2011

LAW OFFICES OF THOMAS M. BRUEN  
A Professional Corporation

22                   /s/ Erik A. Reinertson  
23                   \_\_\_\_\_  
24                   ERIK A. REINERTSON  
25                   Attorneys for Forward, Inc.

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**ORDER**

Pursuant to stipulation of the Parties, and good cause appearing:

It is ORDERED that:

Defendant FORWARD, INC. shall file a First Amended Answer to the First Amended Complaint within fourteen (14) days of this Order.

IT IS SO ORDERED.

Date: July 28, 2011.



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HON. EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE