

1 BOUTIN JONES INC.
 Robert R. Rubin #117428
 2 555 Capitol Mall, Suite 1500
 Sacramento, CA 95814-4603
 3 Telephone: (916) 321-4444
 Facsimile: (916) 441-7597
 4
 Attorneys for Plaintiff New Gaming Systems, Inc.

5 KATHRYN KENEALLY
 6 Assistant Attorney General

7 COLIN C. SAMPSON
 Trial Attorney, Tax Division
 8 U.S. Department of Justice
 P.O. Box 683, Ben Franklin Station
 9 Washington, D.C. 20044-0683
 Telephone: (202) 514-6062
 10 Fax: (202) 307-0054
 E-mail: Colin.C.Sampson@usdoj.gov
 11 Western.TaxCivil@usdoj.gov

12 Of Counsel:
 BENJAMIN B. WAGNER
 13 United States Attorney

14 Attorneys for the United States of America

15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA

18 NEW GAMING SYSTEMS, INC.,)
 19 Plaintiff,)
 20 v.)
 21 UNITED STATES OF AMERICA,)
 22 Defendant.)

Case No. 2:11-cv-627-MCE-JFM

**STIPULATION AND JOINT REQUEST
 TO MODIFY AMENDED PRETRIAL
 SCHEDULING ORDER AND ORDER
 EXTENDING TIME TO FILE A
 RESPONSE AND FOR A RULE 26(F)
 CONFERENCE; ORDER**

23
 24 Plaintiff New Gaming Systems, Inc. (“Plaintiff”) and defendant United States of America
 25 (“Defendant”) hereby stipulate and submit the following joint request to modify the Amended
 26 Pretrial Scheduling Order of August 10, 2012 and Order Extending Time to File a Response and for
 27 a Rule 26(f) Conference of January 4, 2013.

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1 **RECITALS**

2 WHEREAS, on January 4, 2013, the Court issued an Order Extending Time to File a
3 Response and for a Rule 26(f) Conference in which the Court established a deadline for hearing
4 dispositive motions of June 13, 2013;

5 WHEREAS, on August 10, 2012 the Court issued an Amended Pretrial Scheduling Order in
6 which it set filing deadlines of (A) 8 weeks prior to the hearing for the filing of a dispositive motion,
7 (B) 5 weeks prior to the hearing for the filing of an opposition and any cross-motion; (C) at least
8 3 weeks prior to the hearing for the filing of a reply and opposition to any cross-motion and (D) at
9 least 1 week prior to the hearing for the filing of a reply to any cross-motion;

10 WHEREAS, on April 18, 2013, Defendant filed and served a Motion for Summary Judgment
11 with a hearing date of June 13, 2013;

12 WHEREAS, counsel for Plaintiff has a vacation previously scheduled for June 12 through
13 19;

14 WHEREAS, in order to accommodate the previously scheduled vacation of Plaintiff's
15 counsel the parties believe that a modification to the Order Extending Time to File a Response and
16 for a Rule 26(f) Conference to extend the deadline for hearing dispositive motions to June 27, 2013
17 and to modify the filing deadlines in the Amended Pretrial Scheduling Order is necessary.

18 **STIPULATION**

19 NOW, THEREFORE, it is hereby stipulated by and between Plaintiff and Defendant as
20 follows:

21 The Order Extending Time to File a Response and for a Rule 26(f) Conference dated
22 January 4, 2013, shall be modified to move the last day for hearing dispositive motions from
23 June 13, 2013 to June 27, 2013.

24 Further, the filing deadlines in the Amended Pretrial Scheduling Order dated August 10,
25 2013 shall be amended as follows regarding dispositive motions:

26	Opposition and any cross-motion	filed at least 6 weeks prior to hearing
27	Reply and opposition to cross-motion	filed at least 3 weeks prior to hearing

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ORDER

Upon reviewing the parties' Stipulation and Joint Request to Modify Amended Pretrial Scheduling Order and Order Extending Time to File a Response and for a Rule 26(f) Conference and good cause appearing therefore,


IT IS HEREBY ORDERED that the Order Extending Time to File a Response and for a Rule 26(f) Conference dated January 4, 2013, shall be modified to move the last day for hearing dispositive motions from June 13, 2013 to June 27, 2013.

Further, the filing deadlines in the Amended Pretrial Scheduling Order dated August 10, 2013 shall be amended as follows regarding dispositive motions:

- | | |
|--------------------------------------|---|
| Opposition and any cross-motion | filed at least 6 weeks prior to hearing |
| Reply and opposition to cross-motion | filed at least 3 weeks prior to hearing |
| Reply to cross-motion | filed at least 1 week prior to hearing |

IT IS SO ORDERED.

DATE: April 23, 2013



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT