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**ALTEMUS & WAGNER**  
**ATTORNEYS AT LAW**

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Stewart C. Altemus (California State Bar No. 98746)  
Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CYNTHIA O’CONNER,  
Plaintiff,

Case No. 2:11-cv-02803-GEB-CMK

vs.

UNITED STATES OF  
AMERICA,  
Defendants.

STIPULATION and ORDER TO  
CONTINUE HEARING ON UNITED  
STATES’ OF AMERICA’S MOTION TO  
DISMISS WITH PREJUDICE FOR LACK  
OF SUBJECT MATTER JURISDICTION  
OR, ALTERNATIVELY, FOR SUMMARY  
JUDGMENT

Date: November 19, 2012  
Time: 9:00 a.m.  
Courtroom 10  
Garland E. Burrell, Jr. Judge

Plaintiff, CYNTHIA O’CONNER, by and through her attorney, and Defendant, UNITED STATES OF AMERICA, by and through its attorney, hereby stipulate as follows:

IT IS HEREBY STIPULATED by and between the parties hereto that the hearing on Defendant United States’ of America’s Motion to Dismiss for Lack of Subject Matter Jurisdiction presently scheduled to be heard on November 19, 2012, be continued to December 3, 2012.

IT IS FURTHER STIPULATED between the parties that Plaintiff’s opposition to said Motion shall be filed and served on or before November 15, 2012, and Defendant’s reply to said opposition

1 shall be filed and served on or before November 26, 2012.

2 Dated: November 1, 2012.

ALTEMUS & WAGNER

3  
4 /s/ Stewart C. Altemus  
Stewart C. Altemus  
Attorney for Plaintiff

5 Dated: November 2, 2012.

UNITED STATES OF AMERICA

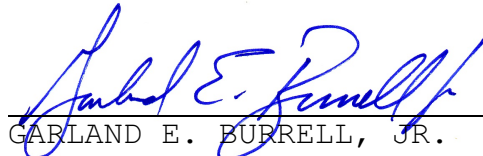
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7 /s/ Lynn Trinka Ernce  
Lynn Trinka Ernce  
Assistant U.S. Attorney  
Attorneys for Defendant

8  
9 **ORDER**

10 Pursuant to the foregoing Stipulation of the parties, the hearing on Defendant's Motion to  
11 Dismiss for Lack of Subject Matter Jurisdiction presently scheduled to be heard on November 19,  
12 2012, is hereby continued to December 3, 2012 at 9:00 a.m. in Courtroom 10.

13 It is further ordered that Plaintiff's opposition to said Motion shall be filed and served on or  
14 before November 15, 2012 and Defendant's reply to Plaintiff's opposition shall be filed and served  
15 on or before November 26, 2012.

16 Dated: November 2, 2012

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GARLAND E. BURRELL, JR.  
Senior United States District Judge