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7 Attorneys for Claimants
 Bart Wayne Volen
 8 Volen Properties, LLC
 Volen Properties 4, LLC
 9 Volen Properties 7, LLC
 Volen Properties 8, LLC
 10 Volen Properties 9, LLC
 Volen Properties 10, LLC
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12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA
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15 UNITED STATES OF AMERICA,
 16 Plaintiff,
 17 v.
 18 REAL PROPERTY LOCATED AT 149 G.
 STREET, LINCOLN CALIFORNIA, PLACER
 19 COUNTY, APM: 008-266-015-000, *ET AL.*,
 20 Defendants.

Case No. 2:12-CV-00705-MCE-DAD

**STIPULATION AND ORDER
 CONTINUING HEARING ON MOTION
 TO DISMISS**

Date: October 4, 2012
 Time: 2:00 p.m.
 Courtroom: 7
 Judge: Hon. Morrison C. England, Jr.

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1 Claimants Bart Wayne Volen, Volen Properties, LLC, Volen Properties 4, LLC, Volen
2 Properties 7, LLC, Volen Properties 8, LLC, Volen Properties 9, LLC, and Volen Properties 10,
3 LLC (the "Volen Claimants") and the United States of America, through their respective counsel,
4 hereby stipulate, and respectfully request that the Court so order, that the hearing on the Volen
5 Claimants' Motion to Dismiss, currently set for September 6, 2012, be continued until October 4,
6 2012, due to the unavailability of Claimants' counsel during the month of September.¹

7 WHEREFORE, based on the foregoing, and for good cause shown, the Volen Claimants
8 and the Government hereby stipulate that the hearing on the Motion to Dismiss be continued from
9 September 6, 2012, to October 4, 2012.

10 DATED: August 6, 2012

UNITED STATES ATTORNEY
BENJAMIN B. WAGNER

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13 By: /s/ Kevin Khasigian
Kevin Khasigian
Assistant United States Attorney


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15 DATED: August 6, 2012

ORRICK, HERRINGTON & SUTCLIFFE, LLP

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17 By: /s/ Courtney J. Linn
Courtney J. Linn
Attorney for Volen Claimants

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19 **IT IS SO ORDERED.**

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21 Dated: August 7, 2012

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23 MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE

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28 ¹ Volen Claimants' counsel will be at hearing before the California Public Utilities Commission from approximately
September 5, 2012, through September 19, 2012.