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15 Attorneys for Plaintiffs Robyn Holloway  
and Sterling Holloway

17 IN THE UNITED STATES DISTRICT COURT  
 18 EASTERN DISTRICT OF CALIFORNIA

19 ROBYN HOLLOWAY and STERLING  
20 HOLLOWAY,

21 Plaintiffs,

22 v.

23 UNITED STATES OF AMERICA,

24 Defendant.

CASE NO. 2:12-cv-02120 MCE-CKD

**JOINT STATUS REPORT RE:  
 RELATED APPEALS AND  
 STIPULATION AND ORDER TO  
 CONTINUE CERTAIN PRETRIAL  
 DATES**

26 Pursuant to the Court’s November 10, 2015 Order, Defendant United States and Plaintiffs  
 27 Robyn Holloway and Sterling Holloway respectfully submit their Joint Status Report regarding  
 28

1 the two related appeals and the effect on the current trial date. [ECF No. 92] Because both  
 2 appeals have been fully resolved, the currently set August 8, 2016 trial date is not affected. On  
 3 February 17, 2016, the Ninth Circuit affirmed this Court’s denial of a motion to intervene by  
 4 Security National Insurance Co. in this action, *Holloway v. United States*, No. 2:12-cv-2120  
 5 MCE-CKD, and affirmed this Court’s grant of the United States’ motion to dismiss the  
 6 complaint in the related action, *Security National Insurance Co. v. United States*, No. 2:13-cv-  
 7 1594 MCE-CKD. See ECF No. 93 (2/17/2016 Memorandum, Ninth Cir. Case No. 14-16079);  
 8 No. 2:13-cv-1594 MCE-CKD, ECF No. 26 (2/17/2016 Memorandum, Ninth Cir. Case No. 14-  
 9 15479). No appeal or petition for rehearing was filed in either appeal. On April 12, 2016, the  
 10 judgment entered February 17, 2016 in both appeals took effect and the formal mandates issued.  
 11 ECF No. 95 (4/12/2016 Mandate, Ninth Cir. Case No. 14-16079); No. 2:13-cv-1594 MCE-CKD,  
 12 ECF No. 27 (4/12/2016 Mandate, Ninth Cir. Case No. 14-15479).

13 The parties, by and through their respective counsel, also stipulate and respectfully  
 14 request the continuation of the dates set for certain pretrial filings and the Final Pretrial  
 15 Conference because undersigned defense counsel will be traveling out of state from May 22-30,  
 16 2016. The proposed continuation will not affect the August 8, 2016 trial date. The current and  
 17 proposed schedules are provided below for the Court’s reference.

	<u>Current</u>	<u>Proposed</u>
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	<u>Current</u>	<u>Proposed</u>
	Joint Pretrial Statement	May 26, 2016      June 9, 2016
	Evidentiary or Procedural Motions	May 26, 2016      June 9, 2016
	Oppositions to Evidentiary or Procedural Motions	June 2, 2016      June 16, 2016
	Trial Brief	June 2, 2016      June 16, 2016
	Joint Status Report Re: Trial Date	June 7, 2016      No Change (completed)
	Replies for Evidentiary or Procedural Motions	June 9, 2016      June 23, 2016

1 Final Pretrial Conference June 16, 2016 June 30, 2016  
2 Trial (bench trial, 15 days) August 8, 2016 No Change – August 8, 2016  
3

4 Respectfully submitted,  
5 Dated: May 5, 2016 PHILLIP A. TALBERT  
6 Acting United States Attorney

7 By: /s/ Chi Soo Kim  
8 CHI SOO KIM  
9 Assistant U.S. Attorney

10 Dated: May 9, 2016 WILCOXEN CALLAHAM, LLP  
11 By: /s/ Daniel E. Wilcoxen  
12 DANIEL E. WILCOXEN  
13 Attorney for Plaintiffs Robyn Holloway and  
14 Sterling Holloway

15 **ORDER**

16 IT IS SO ORDERED.

17  
18 Dated: May 12, 2016  
19   
20 MORRISON C. ENGLAND, JR.  
21 UNITED STATES DISTRICT JUDGE  
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