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9 Attorneys for Plaintiff Beth A. Bodi

10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA

12 BETH A. BODI,  
 13 Plaintiff,

14 vs.

15 SHINGLE SPRINGS BAND OF MIWOK  
 16 INDIANS; SHINGLE SPRINGS TRIBAL  
 17 HEALTH PROGRAM; SHINGLE SPRINGS  
 18 TRIBAL HEALTH; BRENDA ADAMS (as  
 19 current Chairperson of the Shingle Springs  
 20 Tribal Health Board), and DOES 1 through  
 21 30, inclusive,  
 22 Defendants.

Case No. 2:13-CV-01044 LKK-CKD

**STIPULATION AND ORDER  
 CONTINUING THE DEFENDANTS'  
 MOTION TO DISMISS HEARING,  
 SETTING THE BRIEFING SCHEDULE  
 AND CONTINUING THE STATUS  
 CONFERENCE**

The Hon. Lawrence K. Karlton

Complaint Filed: April 22, 2013

23 Plaintiff Beth A. Bodi and defendants Shingle Springs Band Of Miwok Indians, Shingle  
 24 Springs Tribal Health Program, Shingle Springs Tribal Health Board, and Brenda Adams  
 25 (collectively, "the Parties"), by and through their counsel of record respectfully request that the court  
 26 give effect to the stipulation regarding the continuing the hearing date for defendants' Motion to  
 27 Dismiss from October 7, 2013 until December 9, 2013, and related changes to the briefing schedule.

1 Further, the parties respectfully request that the court continue the Status Conference from October  
2 21, 2013 until December 16, 2013. The Parties' stipulation, through counsel, is as follows:

3 WHEREAS, all the above-listed defendants have filed their F.R.C.P. 12(b)(1) Motion to  
4 Dismiss, seeking dismissal of Plaintiff's Second Amended Complaint based upon the lack of  
5 subject matter jurisdiction; the hearing is now presently scheduled for October 7, 2013;

6 WHEREAS, the Parties are exploring an out-of-court settlement that would render further  
7 proceedings in this case unnecessary;

8 WHEREAS, the Parties wish to continue the hearing of this motion, in the interests of  
9 justice and to conserve judicial and litigant resources;

10 WHEREAS, the Parties wish to make arrangements for orderly filing of the Opposition  
11 and Reply briefing on a timeline that accommodates the new hearing date; and

12 WHEREAS, the Parties agree that the foregoing reasons present good cause for altering the  
13 briefing schedule set forth in Rule 230 of the Local Rules of the United States District Court,  
14 Eastern District of California.

15 WHEREAS, this Court has currently scheduled the Status Conference for October 21,  
16 2013;

17 WHEREAS, the Parties wish to continue the Status Conference until December 16, 2013.

18  
19 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the Parties  
20 that:

- 21 1. Plaintiff shall oppose defendants' motion to dismiss no later than October 30, 2013;
- 22 2. Defendants shall file any reply brief in support of their motion to dismiss no later  
23 than November 22, 2013;
- 24 3. Counsel for plaintiff and defendants agree that it would be the best use of judicial  
25 and litigant resources to continue the hearing date on defendants' Motion to Dismiss shall be  
26 continued from October 7, 2013 at 10:00 a.m. until December 9, 2013 at 10:00 a.m., or a date  
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thereafter convenient to the Court;

4. Counsel also agrees that it would be similarly beneficial to continue the Status Conference until December 16, 2013 at 2:00 p.m., or a date thereafter convenient to the Court, following the new hearing date on defendants' Motion to Dismiss.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: September 12, 2013

PACIFIC AMERICAN LAW GROUP, PC

By /s/ Wendy L. Hillger (approved Sept.11, 2013)  
WENDY L. HILLGER

Attorneys for Plaintiff

Dated: September 12, 2013

DENTONS US LLP

By /s/ Ian R. Barker  
IAN R. BARKER

Attorneys for Defendants  
SHINGLE SPRINGS BAND OF MIWOK  
INDIANS, SHINGLE SPRINGS TRIBAL  
HEALTH PROGRAM, SHINGLE SPRINGS  
TRIBAL HEALTH BOARD, and BRENDA  
ADAMS

