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11 (See *infra* for additional counsel of record.)
 12

13 UNITED STATES DISTRICT COURT

14 EASTERN DISTRICT OF CALIFORNIA

15 DUARTE NURSERY, INC., a California
 Corporation; et al.,

No. 2:13-CV-02095-KJM-AC

16 Plaintiffs,

**STIPULATION AND
 PROPOSED ORDER REGARDING
 DATE FOR SUBMISSION OF JOINT
 PRETRIAL CONFERENCE STATEMENT**

17 v.
 18

19 UNITED STATES ARMY CORPS OF
 ENGINEERS, et al.,

20 Defendants.

21 _____
 UNITED STATES OF AMERICA,

22 Counterclaim- Plaintiff,

23 v.
 24

25 DUARTE NURSERY, INC., a California
 Corporation; et al.,

26 Counterclaim- Defendants.
 27

1 The Parties to this action—i.e., Plaintiffs and Counterclaim-Defendants Duarte Nursery,
2 Inc., and John Duarte (collectively, “Duarte”) and Defendants United States Army Corps of
3 Engineers, United States of America, and Counterclaim-Plaintiff United States of America
4 (collectively, “United States”)—hereby stipulate and jointly seek the Court’s approval of the
5 following modifications to the Court’s Minute Order of February 26, 2016 (ECF 179):

6 1. The parties in this case have completed all discovery and have filed six
7 dispositive motions, which presently remain pending before the Court. The only tasks
8 remaining for the parties are the Pretrial Conference and preceding Joint Pretrial Conference
9 Statement, Trial Briefs, trial exhibits, and the bench trial itself.

10 2. Under the Court’s February 26, 2016, Minute Order, the parties have until
11 **April 28, 2016**, to confer and submit a Joint Pretrial Conference Statement. ECF 179. Under
12 the Court’s subsequent April 5, 2016, Minute Order, the Final Pretrial Conference will be held
13 on May 18, 2016. ECF 184.

14 3. By the Court’s March 25, 2016, Minute Order, the Court reset the bench trial
15 date for July 25, 2016, as well as the filing deadline for the parties’ trial briefs, for July 11,
16 2016. ECF 183.

17 5. The parties have conferred and agree to continue the date for submitting the Joint
18 Pretrial Conference Statement to May 11, 2016. This date is in accord with Local Rule
19 281(a)(2), and will provide the parties the maximum available time to prepare the Joint
20 Statement in light of any ruling issued by the Court on the pending motions for summary
21 judgment.

22 6. Wherefore, based on the above, and for good cause shown, the parties stipulate
23 and request that the Court reset the date for submission of the Joint Pretrial Conference
24 Statement from April 28, 2016, to **May 11, 2016**, and to so order.

25
26 Respectfully submitted and stipulated:

27 JOHN C. CRUDEN
Assistant Attorney General
28 /s/ Andrew J. Doyle

Dated: April 7, 2016

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Dated: April 7, 2016

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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DUARTE NURSERY, INC., a California Corporation; and JOHN DUARTE, an individual,

Plaintiffs,

v.

UNITED STATES ARMY CORPS OF ENGINEERS and UNITED STATES OF AMERICA

Defendants.

UNITED STATES OF AMERICA,

Counterclaim- Plaintiff,

v.

DUARTE NURSERY, INC., a California Corporation; and JOHN DUARTE, an individual,

Counterclaim- Defendants.

No. 2:13-CV-02095-KJM-AC

ORDER

Good cause appearing, the Court's Minute Order of February 26, 2016 (ECF No. 179), is revised as follows:

The Joint Pretrial Conference Statement previously due April 28, 2016, is now due **May 11, 2016.**

DATED: April 14, 2016.


UNITED STATES DISTRICT JUDGE