

1 M. REED HOPPER (Bar No. 131291)
 ANTHONY L. FRANÇOIS (Bar No. 184100)
 2 Pacific Legal Foundation
 930 G Street
 3 Sacramento, CA 95814
 (916) 419-7111 (p)
 4 (916) 419-7747 (f)
 mrh@pacificlegal.org
 5 alf@pacificlegal.org
 See next page for additional attorneys for
 6 Plaintiffs and Counterclaim-Defendants

7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

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

12 Plaintiffs,

13 v.

14 UNITED STATES ARMY CORPS OF
 ENGINEERS,

15 Defendant.

No. 2:13-CV-02095-KJM-AC (TEMP)

**ORDER GRANTING DUARTE’S EX
 PARTE APPLICATION FOR ORDER
 SHORTENING TIME**

Trail Date: July 25, 2016
 Time: 9:00 a.m.
 Courtroom: 3
 Judge: Hon. Kimberly J.
 Mueller

17 UNITED STATES OF AMERICA
 18 Counterclaim- Plaintiff,

19 v.

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

22 Counterclaim- Defendants.

23
 24
 25
 26
 27
 28

1 *Additional attorneys for*
2 *Plaintiffs and Counterclaim-Defendants*

3 DAVID M. IVESTER (Bar No. 76863)
4 PETER PROWS (Bar No. 257819)
5 Briscoe Ivester & Bazel LLP
6 155 Sansome Street, Seventh Floor
7 San Francisco, CA 94104
8 (415) 402-2700 (p)
9 (415) 398-5630 (f)
10 divester@briscoelaw.net
11 pprows@briscoelaw.net


12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
GERALD E. BRUNN (Bar No. 107004)
Law Offices of Brunn & Flynn
928 12th Street, Suite 200
Modesto, CA 95354
(209) 521-2133 (p)
(209) 521-7584 (f)
gbrunn@brunn-flynn.com

1 Plaintiffs and Counterclaim-Defendants Duarte Nursery, Inc. and John Duarte filed an *ex*
2 *parte* application seeking an order shortening time for the hearing for their motion for
3 reconsideration, or for certification of interlocutory appeal, and for a stay.

4 Good cause appearing, the *ex parte* application is **GRANTED**. The court will hear the
5 motion on July 1, 2016 at 10:00 A.M. in Courtroom 3 (KJM) before District Judge Kimberly J.
6 Mueller. Any opposition to the motion will be filed with this court by June 22, 2016. Any reply will
7 be filed with this court by June 27, 2016. Accordingly, the joint pretrial statement due date is
8 CONTINUED to July 29, 2016. The Final Pretrial Conference previously set for June 30, 2016 is
9 RESET to August 12, 2016 at 10:00 A.M. The Bench Trial previously set for July 25, 2016 is
10 VACATED to be reset at the Final Pretrial Conference.

11 **IT IS SO ORDERED**

12 DATED: June 20, 2016

13
14 
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23
24
25
26
27
28