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5 Attorneys for the United States
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7 **IN THE UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**

9 LINDA McDONOUGH

10 Plaintiff,

11 v.

12 UNITED STATES OF AMERICA

13 Defendants.
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CASE NO. 2:14-cv-01252-GEB-CMK

**STIPULATION and [PROPOSED]
ORDER TO CONTINUE INITIAL
STATUS CONFERENCE AND JOINT
SCHEDULING REPORT**

15 This is a Federal Tort Claims Act (“FTCA”) medical malpractice action. The Complaint in
16 this matter was filed May 21, 2014. (Dkt. No. 1). The Court dismissed Plaintiff’s claim with leave to
17 amend on November 20, 2014 (Dkt. No. 15). Plaintiff filed an amended complaint on February 17,
18 2015. (Dkt. No. 22). After vacating previous dates, the Court also set a status conference on March
19 23, 2015, at 9:00 a.m., and ordered a joint status report to be filed fourteen (14) days before the status
20 conference. (Dkt. No. 20).¹ On March 2, 2015, the United States filed a motion to dismiss Plaintiff’s
21 First Amended Complaint (Dkt. No. 23), which is set for March 30, 2015.

22 Given the dispositive nature of the motion, the parties agree that it would be more efficient
23 for the Court to resolve the pending motion to dismiss before setting a schedule or engaging in other
24 proceedings, and that the initial scheduling conference and Joint Status Report should be continued
25 until after such resolution. Therefore, the parties stipulate to continue the status conference to a date
26 approximately 21 days after the motion to dismiss is resolved. The pretrial scheduling conference is

27 _____
28 ¹ There is also a pending Order to Show Cause, (*see* Dkt. No. 20), to which Plaintiff has responded. (*See* Dkt. No. 21).

1 rescheduled for June 22, 2015, at 9:00 a.m. a joint status report shall be filed fourteen days prior to
2 the hearing.

3 Respectfully submitted,

4 DATED: March 9, 2015

BENJAMIN B. WAGNER
United States Attorney

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By: /s/ Gregory T. Broderick
GREGORY T. BRODERICK
Assistant U.S. Attorney

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8 DATED: March 9, 2015

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By: /s/ Dennis B. Hill (auth. 3/8/15)
DENNIS B. HILL
Attorney for Plaintiff

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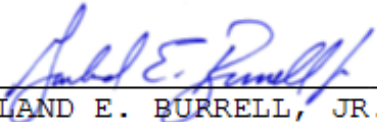
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PROPOSED ORDER

IT IS SO ORDERED.

Dated: March 10, 2015



GARLAND E. BURRELL, JR.
Senior United States District Judge

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