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8 *Department, Major General Baldwin, and Colonel*
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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA
12

13
14 **GRACIELA CONTRERAS,**

15 Plaintiff,

16 v.

17 **ROBERT M. SPEER, ACTING SECRETARY OF**
18 **THE U.S. ARMY, ET AL.**

19 Defendants.

2:14-CV-1282-KJM-KJN-PS

**STIPULATION TO CONTINUE
HEARING DATE ON MOTIONS TO
DISMISS; AND**

ORDER

Trial Date: None Set
Action Filed: May 27, 2014

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21 On June 23, 2017, the State Defendants filed a motion to dismiss and scheduled the
22 hearing on September 6, 2017. ECF No. 47. On July 7, 2017, the Federal Defendants filed a
23 motion to dismiss and scheduled the hearing on September 13, 2017. ECF No. 54. On July 20,
24 2017, the Court issued a minute order continuing the State Defendants' motion to dismiss to
25 September 13, 2017. ECF No. 57. On August 11, 2017, the Court issued a minute order relating
26 this case to the case denominated as 2:13-cv-01440 KJM KJN and 2:14-cv-01820 KJM KJN.
27 ECF No. 58. The Court reassigned this case to the Honorable Kimberly J. Mueller, United States
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1 District Court Judge. *Id.* Also on August 11, 2017, the Court continued the hearing on the
2 pending motions to dismiss to September 28, 2017. ECF No. 60.

3 Counsel for the State Defendants is out of the country from approximately September 8,
4 2017, through approximately September 23, 2017. As a result, counsel for the state defendants
5 will be unable to timely prepare a reply brief for the hearing currently scheduled for September
6 28, 2017. Based on their respective schedules, the parties stipulate as follows:

7 1. The State Defendants' motion to dismiss (ECF No. 47) and the Federal
8 Defendants' motion to dismiss (ECF No. 54) will be heard on October 26, 2017 at 10:00 a.m. in
9 Courtroom 25.

10 2. Opposition briefs will be due on or before October 5, 2017. Reply briefs will be
11 due on or before October 19, 2017.

12
13 **IT IS SO STIPULATED.**

14 Dated: August 18, 2017

15 XAVIER BECERRA
16 Attorney General of California
17 DAVID J. NEILL
18 Supervising Deputy Attorney General

19 *s/ Matthew T. Besmer*

20 MATTHEW T. BESMER
21 Deputy Attorney General
22 *Attorneys for Defendants California Military
23 Department, Major General Baldwin, and
24 Colonel Kaufman*

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Dated: August 21, 2017

PHILLIP A. TALBERT
United States Attorney

/s/ Chi Soo Kim

CHI SOO KIM
Assistant United Attorney

Dated: August 19, 2017

/s/ Graciela Contreras

GRACIELA CONTRERAS,
Plaintiff, In Propia Persona

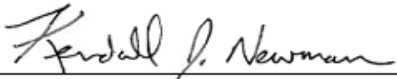
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ORDER

With good cause appearing on the parties' Stipulation to Continue Hearing Date on Motions to Dismiss, it is hereby ORDERED that the defendants' motions to dismiss (ECF Nos. 47 and 54) shall be heard on October 26, 2017, at 10:00 a.m., in Courtroom 25. Opposition briefs will be due on or before October 5, 2017. Reply briefs will be due on or before October 19, 2017.

IT IS SO ORDERED.

Dated: August 23, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE