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6
 7 IN THE UNITED STATES DISTRICT COURT
 8 EASTERN DISTRICT OF CALIFORNIA

9 ALTURAS INDIAN RANCHERIA

10 Plaintiffs,

11 v.

12 SALLY JEWELL, Secretary of the United
 States Department of the Interior; KEVIN
 13 WASHBURN, Assistant Secretary of Indian
 Affairs; AMY DUTSCHKE, Pacific Regional
 14 Director, Bureau of Indian Affairs; TERE
 SALKELD, Pacific Regional Contracting
 15 Officer, Bureau of Indian Affairs

16 Defendants.

CASE NO. CASE 2:14-CV-01407-TLN-CMK

**STIPULATION AND ORDER TO
 CONTINUE HEARING ON PLAINTIFF’S
 MOTION FOR SUMMARY JUDGMENT
 AND DEFENDANTS’ MOTION TO
 DISMISS.**

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 18 Plaintiff served the complaint and filed a motion for summary judgment on August 12, 2014.
 19 (See Dkt. Nos. 10 and 11). Because the opposition to the motion for summary judgment would have
 20 been due before Defendants’ responsive pleading, the parties stipulated to continue the hearing to
 21 October 23, 2014, and the Court approved. (See Dkt. Nos. 18 & 19). The United States has since filed a
 22 motion to dismiss, which is also calendared for October 23, 2014. (See Dkt. No. 31). The parties have
 23 been discussing settlement and other administrative matters, and Plaintiff plans to submit a written
 24 settlement offer forthwith. Therefore, the parties stipulate as follows:

- 25 1. That the hearings on Plaintiff’s motion for summary judgment and Defendants’ motion to
- 26 dismiss shall be continued to November 6, 2014; and
- 27 2. That Defendants reserve the right to raise arguments regarding the timeliness of Plaintiff’s
- 28 Motion.

1 Respectfully Submitted,

2 Dated: October 8, 2014

BENJAMIN B. WAGNER
United States Attorney

/s/ Gregory T. Broderick
GREGORY T. BRODERICK
Assistant United States Attorney

6 Dated: October 8, 2014

/s/ Lester Marston (auth. on 10-08-2014)
LESTER MARSTON
Attorney for Plaintiff

9 **IT IS SO ORDERED.**



11 Dated: October 9, 2014

HON. TROY L. NUNLEY
United States District Judge

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