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8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

<p>10 EZELL ANDERSON, JR., Doing Business As,) Mom’s Choice Meats,) 11) Plaintiff,) 12) v.) 13) UNITED STATES OF AMERICA; KEVIN) 14 CONCANNON, Undersecretary for Food,) Nutrition and Consumer Services; UNITED) 15 STATES DEPARTMENT OF) AGRICULTURE; JOCELYN KEH, Section) 16 Chief, Supplemental Nutrition Assistance) Program, Food and Nutrition Service, United) 17 States Department of Agriculture, and their) successors in office, ,) 18) Defendants.) 19)</p>	<p>Case No. 2:14-cv-02307 JAM/CKD STIPULATION TO EXTEND TIME TO RESPOND TO SECOND AMENDED COMPLAINT AND DATE TO FILE JOINT STATUS REPORT; ORDER</p>
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20 Plaintiff Ezell Anderson Jr, doing business as, Mom’s Choice Meats (“Plaintiff”), and
 21 Defendant United States¹ (“Defendant”), stipulate, by and through the undersigned counsel, to allow
 22 Plaintiff to file a Second Amended Complaint on or before December 9, 2014, and that the United
 23 States will have thirty (30) days from the filing of the Second Amended Complaint to file its
 24 response. The parties also jointly request that the Court continue the need to file a joint status report
 25 to a date convenient for the Court in March 2015.

26 _____
 27 ¹ A store owner’s challenge to disqualification to participation in the Supplemental Nutrition Assistance
 Program is pursued by a lawsuit against the United States, not any other entity or individual. 7 U.S.C. §
 28 2023(a)(13) (“judicial review thereof by filing a complaint against the United States.”)

1 The parties base this stipulation on good cause, which includes the need for Plaintiff to clarify
2 his allegations and then allow the sufficient time for the United States to review the allegations in the
3 Second Amended Complaint and respond accordingly. Because an operative pleading will not be on
4 file at that date the current joint scheduling report is due a brief continuance is requested

5 The parties request the court to endorse this stipulation by way of formal order.

6 Respectfully submitted,

7 Dated: December 1, 2014

BENJAMIN B. WAGNER
UNITED STATES ATTORNEY

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10 /s/Alyson A. Berg
ALYSON A. BERG
Assistant United States Attorney
Attorney for Defendant United States

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12 Dated: December 1, 2014

BISCETTE AND ASSOCIATES, P.C.

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15 (As authorized 12/01/14)
/s/Nasiche Beatrice Biscette
NASICHE BEATRICE BISCETTE
Attorneys for Plaintiff

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17 **ORDER**

18 Having reviewed the stipulation submitted by the parties, the court hereby extends the time
19 for the Plaintiff to file a Second Amended Complaint to on or before December 9, 2014, and that the
20 United States will have thirty (30) days from the filing of the Second Amended Complaint to file its
21 response. The Court continues the date to file a joint status report to March 13, 2015.

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23 Dated: December 2, 2014

/s/ John A. Mendez
John A. Mendez
United States District Court Judge