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8 *Attorneys for Plaintiffs the Paskenta Band of Nomlaki Indians*
9 *and the Paskenta Enterprises Corporation*

10 **UNITED STATES DISTRICT COURT**

11 **EASTERN DISTRICT OF CALIFORNIA**

12 **PASKENTA BAND OF NOMLAKI INDIANS;**
13 **and PASKENTA ENTERPRISES**
14 **CORPORATION,**

15 **Plaintiffs,**

16 v.

17 **INES CROSBY; JOHN CROSBY; LESLIE**
18 **LOHSE; LARRY LOHSE; TED PATA; JUAN**
19 **PATA; CHRIS PATA; SHERRY MYERS;**
20 **FRANK JAMES; UMPQUA BANK; UMPQUA**
21 **HOLDINGS CORPORATION;**
22 **CORNERSTONE COMMUNITY BANK;**
23 **CORNERSTONE COMMUNITY BANCORP;**
24 **JEFFERY FINCK; GARTH MOORE;**
25 **GARTH MOORE INSURANCE AND**
26 **FINANCIAL SERVICES, INC.; and**
27 **ASSOCIATED PENSION CONSULTANTS,**
28 **INC.,**

Defendants.

Case No. 2:15-cv-00538-MCE-CMK

STIPULATION AND ORDER
MODIFYING BRIEFING
SCHEDULE ON DEFENDANT
ASSOCIATED PENSION
CONSULTANTS, INC.'S
MOTION TO DISMISS THE
THIRD AMENDED COMPLAINT

Judge: Hon. Morrison C. England, Jr.

1 WHEREAS, on May 20, 2016, Plaintiffs the Paskenta Band of Nomlaki Indians and the
2 Paskenta Enterprises Corporation (“Plaintiffs”) filed the Third Amended Complaint (“TAC”) in
3 this action.

4 WHEREAS, pursuant to an order on stipulation, the deadline for a motion to dismiss the
5 TAC by Defendant Associated Pension Consultants, Inc. (“APC”) was due June 20, 2016;

6 WHEREAS, pursuant to a further order on stipulation, that deadline was extended to
7 July 10, 2016 and other related deadlines were accordingly extended;

8 WHEREAS, on July 26, 2016, notice was given by Plaintiffs of Daniel C. Goldberg’s
9 withdrawal as counsel of record as a result of unexpected circumstances;

10 WHEREAS, Plaintiffs and APC agree that it would be in the best interest of these
11 parties to revise the briefing schedule in light of Mr. Goldberg’s unexpected withdrawal

12 IT IS HEREBY STIPULATED by Plaintiffs, on the one hand, and APC, on the other
13 hand, by their respective counsel, pursuant to Civil Local Rules 143 and 144, and subject to
14 approval by the Court:

15 1. Plaintiffs’ deadline to file their Opposition to APC’s Motion to Dismiss the Third
16 Amended Complaint is extended to August 31, 2016;

17 2. APC’s Reply in further support of its Motion to Dismiss the Third Party
18 Complaint shall be filed fourteen (14) days thereafter.

19 3. APC shall re-notice the hearing on its Motion to Dismiss in accordance with
20 Local Rules and this Court’s Individual Practices.

21
22 Dated: July 29, 2016

GROSS & KLEIN LLP

/s/ Stuart G. Gross

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(Attorneys for the Plaintiffs)


**MURPHY, PEARSON, BRADLEY
& FEENEY**
By /s/ William A. Munoz
William A. Munoz (#191649)
(Attorneys for Defendant)
Associated Pension Consultants, Inc.

ORDER

In accordance with the foregoing stipulation, and good cause appearing.

IT IS SO ORDERED.

Dated: August 3, 2016



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE