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9
Of Counsel:
10 McGREGOR W. SCOTT
United States Attorney

11
12 IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

14	UNITED STATES OF AMERICA,)	Case No. 2:15-cv-01239-JAM-KJN
)	
15	Plaintiff,)	JOINT STIPULATION TO
)	CONTINUE TRIAL
16	v.)	
)	Date: July 18, 2018
17)	Time: 9:00 AM
18	ESTATE OF JOSEPH ARLEO, ET AL.,)	Room: Courtroom 6, 14 th Floor
)	Judge: Hon. John A. Mendez
19	Defendants.)	
)	

20
21 Plaintiff, the United States, and defendants, Estate of Joseph Arleo and Anthony Pesola,
22 Administrator (collectively "the Estate"), pursuant to Fed. R. Civ. P. 16(b)(4) and L.R. 143 and
23 144, hereby stipulate to and seeks consent from this Court to continue the trial date currently
24 scheduled to begin July 18, 2018. The attorneys for the parties have reached an agreement in
25 principle for a settlement of this matter.

1 The Court notified the parties on July 13, 2018 that it would continue the start of trial
2 from July 16 to July 18, 2018. The parties request additional time to fully effectuate their
3 settlement and, in the unlikely event trial were necessary, to re-schedule the travel of both
4 counsel and out of district witnesses.

5 It is government counsel's understanding that the terms discussed by the parties will be
6 authorized by personnel with full settlement authority. The settlement does, however, involve
7 not only matters within the authority of the Department of Justice (those at issue in this suit), but
8 also matters the settlement of which are currently within the purview of the Internal Revenue
9 Service. Thus, defendants are in the process of effecting settlement of the inter-connected non-
10 suit liabilities directly with the IRS. Government counsel understands that the IRS is also in
11 agreement as to the terms of the proposed settlement. In order to effectuate the settlement, the
12 parties require additional time and request 30 days from entry of an order continuing the trial to
13 file a notice of final settlement and any other attendant papers, including any stipulated
14 judgment.

15 Dated: July 16, 2018

Respectfully submitted,

16 RICHARD E. ZUCKERMAN
17 Principal Deputy Assistant Attorney General

18 By: /s/ Paul T. Butler
19 PAUL T. BUTLER
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/s/ Mary Elizabeth Rinaldi
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Attorneys for Defendants
Estate of Joseph Arleo, Deceased
And Anthony Pesola, Administrator of
the Estate of Joseph Arleo

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on July 16, 2018, I electronically transmitted the attached
3 Joint Motion to the Clerk's Office using the CM/ECF System for filing and transmittal of a
4 Notice of Electronic Filing to all the CM/ECF registrants of record in the case including Counsel
5 for the Defendants.

6 /s/ Paul T. Butler
7 PAUL T. BUTLER

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF CALIFORNIA

3 UNITED STATES OF AMERICA,)

4 Plaintiff,)

5 v.)

6 ESTATE OF JOSEPH ARLEO, ET AL,)

7 Defendants.)
8

Case No. 2:15-cv-1239-JAM-KJN

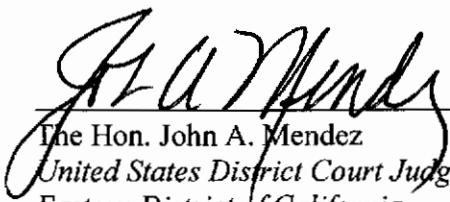
[PROPOSED] ORDER

9 **FOR GOOD CAUSE SHOWN**, and pursuant to the Stipulation of the parties, the trial
10 date in this matter is continued until August 20, 2018 in anticipation that the parties will submit
11 documents on or before that date that will effectuate the settlement in principle that they have
12 reached and will fully resolve this case. *The July 18, 2018 trial date is*

Vacated jam

13 **IT IS SO ORDERED.**

14 Dated: 7-17-2018


The Hon. John A. Mendez
United States District Court Judge
Eastern District of California