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8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10

11 21ST CENTURY INSURANCE COMPANY,

12 Plaintiff,

13 v.

14 UNITED STATES OF AMERICA: and
 15 UNITED STATES DEPARTMENT OF
 AGRICULTURE,
 16

17 Defendants.

CASE NO. 2:16-cv-01524 TLN-KJN

**STIPULATION AND ORDER TO
 SUBSTITUTE THE UNITED STATES IN
 PLACE OF DEFENDANT UNITED STATES
 DEPARTMENT OF AGRICULTURE**

18 Defendant United States, Defendant United States Department of Agriculture, and Plaintiff 21st
 19 Century Insurance Co., by and through their respective counsel, stipulate to substitute the United States
 20 as Defendant in place of Defendant United States Department of Agriculture. The United States is the
 21 only proper party defendant for claims under the Federal Tort Claims Act. 28 U.S.C. §§ 1346(b)(1) and
 22 3679(a); *FDIC v. Craft*, 157 F.3d 697, 706 (9th Cir. 1998) (“The FTCA is the exclusive remedy for
 23 tortious conduct by the United States, and it only allows claims against the United States. Although
 24 such claims can arise from the acts or omissions of United States Agencies (28 U.S.C. § 2671), an
 25 agency itself cannot be sued under the FTCA.”).

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