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**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

GLEN W. THOMAS,

Plaintiff,

v.

ERIC D. HARGAN, ACTING SECRETARY
OF HEALTH AND HUMAN SERVICES,

Defendant.

CASE NO. 2:16-CV-02541 KJN

**STIPULATION AND ORDER TO VACATE
HEARING AND BRIEFING SCHEDULE FOR
PLAINTIFF’S SUMMARY JUDGMENT
MOTION PENDING RESOLUTION OF THE
CASE**

Defendant Eric D. Hargan, Acting Secretary of Health and Human Services, and Plaintiff Glen W. Thomas, are currently working cooperatively to resolve the case. Therefore, the parties stipulate and respectfully request that the Court vacate (1) the current deadlines for Defendant’s opposition to Plaintiff’s summary judgment motion and Plaintiff’s reply, and (2) the December 18, 2017 hearing. [ECF Nos. 27, 28] The parties will provide the Court with a further status update in 14 days (on or before November 24, 2017). If the parties are not able to resolve the case, the parties will propose new hearing dates and deadlines for Defendant’s opposition to Plaintiff’s summary judgment motion and Plaintiff’s reply.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Dated: November 9, 2017

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By: /s/ Chi Soo Kim
CHI SOO KIM
Assistant U.S. Attorney

Dated: November 9, 2017

/s/ Glen W. Thomas (authorized 11/9/2017)
GLEN W. THOMAS
Plaintiff

ORDER

IT IS SO ORDERED.

Dated: November 13, 2017



KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE