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

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 11 RAS HEZEKIAH TAFARI, et al.,
 Plaintiffs,
 12 v.
 13 UNITED STATES POSTAL SERVICE
 POSTMASTER GENERAL MEGAN J.
 14 BRENNAN, GENERAL,
 15 Defendant.
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Case No. 2:17-cv-0113-MCE-EFB

**DEFENDANT’S MOTION FOR
 CONTINUANCE OF DISCOVERY
 DEADLINES AND [PROPOSED] ORDER**

17 Defendant United States Postal Service Postmaster General Megan J. Brennan hereby moves for a
 18 continuance of the deadline for Defendant’s expert disclosures and the parties’ rebuttal expert disclosures.
 19 In its November 16, 2017 Order, the Court ordered Defendant’s initial expert disclosures due on or before
 20 January 25, 2019 and rebuttal disclosures due by February 8, 2019. ECF No. 43.

21 At the end of the day on December 21, 2018, the appropriations act that had been funding the
 22 Department of Justice expired and appropriations to the Department lapsed. The Department does not
 23 know when funding will be restored.

24 Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a
 25 voluntary basis, except in very limited circumstances, including “emergencies involving the safety of
 26 human life or the protection of property.” 31 U.S.C. § 1342. That exception is not deemed to include
 27 most civil cases. Though the undersigned Assistant U.S. Attorney is not furloughed due to work on a
 28

1 criminal trial beginning on January 10, 2019, work is prohibited on this and most civil cases until
2 appropriations to the Justice Department are restored.

3 Defendant therefore requests a continuance of the deadline for Defendant's expert disclosures and
4 the parties' rebuttal disclosures until after Congress has restored appropriations to the Department.

5 If this request is granted, undersigned counsel will notify the Court promptly after Congress has
6 appropriated funds for the Department, and will propose rescheduling as appropriate.

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9 DATED: January 4, 2019

Respectfully submitted,

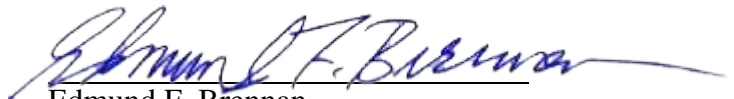
McGREGOR W. SCOTT
United States Attorney

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11 By: /s/ Chi Soo Kim
CHI SOO KIM
Assistant United States Attorney

12
13 **PROPOSED ORDER**

14 IT IS SO ORDERED.

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16 DATED: January 8, 2019.


Edmund F. Brennan
United States Magistrate Judge