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

11
12 CECIL CALLENDER III,
13 Plaintiff,
14 v.
15 UNITED STATES POSTAL SERVICE;
16 NATIONAL ASSOCIATION OF LETTER
CARRIERS, BRANCH 133,
17 Defendants.

CASE NO. 2:18-CV-00025-JAM-CKD
(PS)

**STIPULATION TO SUBSTITUTE THE
POSTMASTER GENERAL IN PLACE
OF THE UNITED STATES POSTAL
SERVICE; AND ORDER**

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20 Plaintiff Cecil Callender III, and the United States Postal Service, by and through its
21 attorneys of record, hereby stipulate, subject to approval of the Court, to the following:

22 (1) The Postmaster General, Megan Brennan, is substituted in for the United States
23 Postal Service.

24 (2) The United States Postal Service hereby withdraws its pending motion to dismiss
25 (Docket No. 10).

26 (3) The Postmaster General shall have thirty days to file a responsive pleading to the
27 complaint from the date the Court signs this proposed order.
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Dated: March 27, 2018

Respectfully submitted,

McGREGOR W. SCOTT
United States Attorney

By: /s/ Edward A. Olsen
EDWARD A. OLSEN
Assistant United States Attorney

Dated: March 24, 2018

/s/ Cecil Callender III
CECIL CALLENDER III
Plaintiff

ORDER

Pursuant to the stipulation, IT IS SO ORDERED.

Additionally, as the pending motion to dismiss (ECF No. 10) is hereby withdrawn, the motion hearing set for May 16, 2018 is vacated.

IT IS SO ORDERED.

Dated: April 3, 2018

Carolyn K. Delaney
CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE