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 16

17 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA

18 THE UNITED STATES OF AMERICA,

19 Plaintiff,

20 v.

21 THE STATE OF CALIFORNIA;
 22 EDMUND GERALD BROWN JR.,
 Governor of California, in his Official
 23 Capacity; and XAVIER BECERRA,
 24 Attorney General of California, in his
 Official Capacity,

25 Defendants.
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 27
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Case No. 2:18-cv-490-JAM-KJN

**PLAINTIFF'S NOTICE OF MOTION
 AND MOTION FOR STAY PENDING
 APPEAL**

Date: October 16, 2018
 Time: 1:30 p.m.
 Courtroom: 6
 Judge: The Honorable John A. Mendez
 Trial Date: None set
 Action filed: March 6, 2018

1 **TO PARTIES AND THEIR COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** Plaintiff the United States of America hereby moves this
3 Court to stay district court proceedings in this case pending resolution of Plaintiff's appeal of the
4 Court's order granting in part and denying in part the United States' motion for preliminary injunction
5 (ECF 193) and the order granting in part and denying in part Defendants' motion to dismiss (ECF
6 197). Pursuant to the Court's Minute Order (ECF 206), a hearing is scheduled for this motion on
7 October 16, 2018, at 1:30 p.m.

8 This motion is based on the memorandum filed herewith and the pleadings on file.

9
10 DATED: September 18, 2018

Respectfully Submitted,

11 JOSEPH H. HUNT
Assistant Attorney General

12 CHAD A. READLER
13 Principal Deputy Assistant Attorney General

14 MCGREGOR SCOTT
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16 AUGUST FLENTJE
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21 */s/ Francesca Genova*
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