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8 Attorneys for the United States of America

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

13 **ALLEN DAVIS and CAROL DAVIS,**
 14 **Plaintiffs,**
 15 **v.**
 16 **UNITED STATES OF AMERICA,**
 17 **Defendant.**

Case No. 11-cv-4316-EDL

STIPULATION TO (1) EXTEND TIME
 TO ANSWER OR OTHERWISE PLEAD,
 AND (2) CONTINUE THE CASE
 MANAGEMENT CONFERENCE; AND
~~PROPOSED~~ ORDER

19 The parties stipulate as follows:

- 20 1. Plaintiffs Allen and Carol Davis filed this case on August 31, 2011, which
 21 seeks a refund of federal taxes for specified years.
- 22 2. Plaintiffs served the defendant, the United States, on September 2, 2011,
 23 and an answer or responsive pleading is due on or before November 1, 2011.
- 24 3. Counsel for the United States has requested, but has not yet received the
 25 Internal Revenue Service administrative file, a letter referring this case for defense, and
 26 other documents necessary to file a pleading in this matter. Those documents should be
 27 sent so that a responsive pleading can be filed no later than December 2, 2011. Based on
 28

Stipulation to Extend Time to Answer
Case No. 11-4316-EDL

1 these representations, the parties agree that defendant shall have until December 2, 2011,
2 to file an answer or pleading in response to plaintiffs' complaint.

3 4. The parties further stipulate to continue the Case Management Conference
4 from December 13, 2011, to January 31, 2012, at 10:00 a.m.

5 Respectfully submitted,

6 MELINDA HAAG
7 United States Attorney

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9 Dated: October 31, 2011

/s/Thomas M. Newman
THOMAS M. NEWMAN
Assistant United States Attorney
Tax Division

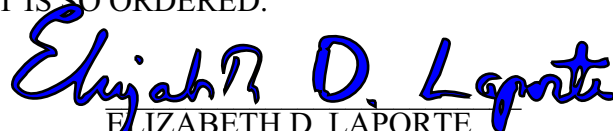
10
11 Dated: October 31, 2011

/s/
KENNETH G. HAUSMAN (No. 57252)
HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
A Professional Corporation
Three Embarcadero Center, 7th Floor
San Francisco, California 94111-4024

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15 **ORDER**

16 Pursuant to the parties' stipulation, IT IS SO ORDERED.

17
18 Dated: November 2, 2011


ELIZABETH D. LAPORTE
United States Magistrate Judge