

1 MELINDA HAAG (CABN 132612)  
 United States Attorney  
 2 ALEX G. TSE (CABN 152348)  
 Chief, Civil Division  
 3 REBECCA A. FALK (CSBN 226798)  
 Assistant United States Attorney

4  
 5 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-7022  
 6 FAX: (415) 436-6748  
 rebecca.falk@usdoj.gov  
 7

8 Attorneys for Defendants

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

13 LIVIA UJHELYI,

14 Plaintiff,

15 v.

16 TOM VILSACK, SECRETARY, U.S.  
 DEPARTMENT OF AGRICULTURE,

17 Defendant.

Case No. 12-04282 JSW

**JOINT STIPULATION AND**  
**~~PROPOSED~~ ORDER LIFTING STAY**  
**AND SETTING CASE MANAGEMENT**  
**CONFERENCE**  
 AS MODIFIED

1 Plaintiff Livia Ujhelyi (“Plaintiff”) and Federal Defendant Tom Vilsack, Secretary, U.S.  
2 Department of Agriculture (“Federal Defendant”), by and through its counsel of record, hereby  
3 stipulate and agree as follows:

4 1. On October 7, 2013, in light of the lapse of federal appropriations to the  
5 Department of Justice, the Federal Defendant moved this Court for an order staying the above-  
6 captioned matter until after Congress restored funding to the Department of Justice and the  
7 shutdown of the federal government came to an end. Dkt. No. 72.

8 2. On October 8, 2013, Plaintiff filed a Motion to Strike Portions of Defendant’s  
9 Answer to Plaintiff’s First Amended Complaint. Dkt. No. 73.

10 3. On October 11, 2013, at the Case Management Conference, this Court granted as  
11 the Federal Defendant’s motion. Dkt. No. 74.

12 4. On October 17, 2013, after funding was restored, furloughed employees of the  
13 Department of Justice returned to work.

14 5. Due to the government shutdown and stay in the above-captioned matter, the  
15 parties agree that Defendant will have until October 30 to file an Opposition to Plaintiff’s Motion  
16 to Strike Portions of Defendant’s Answer to Plaintiff’s First Amended Complaint. Plaintiff’s  
17 Reply will be due on November 6, 2013. A hearing on this matter is scheduled for December 6,  
18 2013.

19 6. The parties hereby agree that work on this case may resume and respectfully  
20 request that the stay in the above-captioned matter be lifted.

21 7. In addition, the parties agree that they are available for a Continued Case  
22 Management Conference on December 6, 2013.

23 ///

24 ///

25 ///

26 ///

27 ///

1  
2 Dated: October 23, 2013

Respectfully Submitted,

3 MELINDA HAAG  
4 United States Attorney

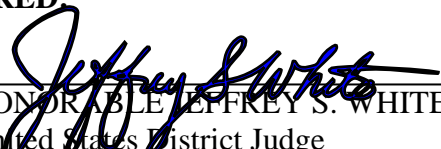
5                   /s/ Rebecca A. Falk                    
6 REBECCA A. FALK<sup>1</sup>  
Assistant United States Attorney

7 Dated: October 23, 2013

                  /s/ Livia Ujhelyi                    
8 LIVIA UJHELYI  
Pro Se

9  
10 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

11 DATED: October 23, 2013

  
12 HONORABLE JEFFREY S. WHITE  
United States District Judge

13  
14 The Court will set the case management conference at 9:00 a.m. immediately following the motion  
15 hearing. However, if the Court finds the motion suitable for disposition without oral argument, it shall  
16 hold the case management conference at 1:30 p.m. on its normal case management calendar. If Plaintiff  
17 wishes to appear by phone at the hearing, she may submit a request to do so.  
18  
19  
20  
21  
22  
23  
24  
25

26 <sup>1</sup> I, Rebecca A. Falk, hereby attest, in accordance with the Civil L.R. 5(i)(3), the  
27 concurrence in the filing of this document has been obtained from the other signatory listed here.  
28