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

12	ERG AEROSPACE CORPORATION,	)	CASE NO. 13-2973 VC
13	Plaintiff,	)	STIPULATION AND <del>proposed</del> ORDER
14	v.	)	TO CONTINUE CASE MANAGEMENT
15	UNITED STATES OF AMERICA,	)	CONFERENCE
16	Defendant.	)	
17	UNITED STATES OF AMERICA,	)	
18	Counterclaim-Plaintiff,	)	
19	v.	)	
20	ERG AEROSPACE CORPORATION,	)	
21	ENERGY RESEARCH & GENERATION,	)	
22	INC., individually, and d/b/a ERG	)	
23	MATERIALS & AEROSPACE CORP.,	)	
24	Counterclaim-Defendants.	)	

25 The parties, through their undersigned counsel, stipulate as follows:

- 26 1. There is a case management conference scheduled for April 14, 2015. The parties stipulate to
- 27 continue the case management conference until July 28, 2015, at 11 a.m. for two reasons.

- 1 2. First, defendant's counsel was previously available on April 14, 2015, when this hearing was set.  
2 However, the date of a hearing in an unrelated bankruptcy matter was advanced, which requires  
3 defendant's counsel's attendance at a hearing in San Jose on April 14, 2015.
- 4 3. Second, the parties recently filed a stipulated judgment in this case resolving the amount of tax  
5 owed by Energy Research & Generation, Inc. The parties are working on a stipulated injunction  
6 and addressing the remaining issue in the respective complaints.
- 7 4. The parties expect to resolve the remaining issues in this case before the next status conference  
8 and request a continuance on that basis.

9 DATED: April 6, 2015

Respectfully submitted,

11 MELINDA HAAG  
12 United States Attorney

13 /s/  
14 THOMAS M. NEWMAN  
15 Assistant United States Attorney  
16 Tax Division

17 /s/\_\_\_\_\_  
18 JEFFREY SETNESS  
19 Attorney for Plaintiff  
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ORDER

PURSUANT TO THE PARTIES' STIPULATION IT IS ORDERED that the case management conference is continued to July 28, 2015.

IT IS SO ORDERED.

DATED: April 8, 2015

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THE HONORABLE  
United States District Judge  
