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Attorneys for Defendant Academy Mortgage Corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA ex rel.
GWEN THROWER,

Plaintiff,

v.

ACADEMY MORTGAGE
CORPORATION,

Defendant.

Case No. 16-CV-02120-EMC

**JOINT MOTION AND PROPOSED
ORDER TO RESET HEARING DATE**

Judge: Hon. Edward M. Chen

1 Defendant Academy Mortgage Corporation (“Academy”) and Relator Gwen
2 Thrower (“Relator”) hereby jointly request, by and through their respective counsel, as
3 follows:

- 4 1. Relator filed an Amended Complaint on April 27, 2017. Dkt. 45.
- 5 2. On June 8, 2017, Academy filed a Motion to Dismiss the Amended
6 Complaint and an Amended Motion to Transfer Venue. Dkt. 48-50.
- 7 3. Academy’s Motion to Dismiss and Motion to Transfer were originally set for
8 hearing on July 27, 2017.
- 9 4. On July 19, 2017, the United States of America filed a Motion to Dismiss
10 Relator’s Complaint.
- 11 5. On July 20, 2017, the Court sua sponte postponed the hearing on Academy’s
12 Motion to Dismiss and Motion to Transfer to August 22, 2017.
- 13 6. At the joint request of Relator, Academy, and the United States, the Court
14 has held Academy’s Motion to Dismiss and its Motion to Transfer Venue in abeyance
15 pending its decision on the United States’ Motion to Dismiss the Amended Complaint, and
16 removed the hearing on those motions from its docket. See Dkt. No. 64; Dkt. No. 72.
- 17 7. On June 29, 2018, the Court denied the United States’ Motion to Dismiss the
18 Amended Complaint, and Denied as Moot Relator’s Request for an Evidentiary Hearing.
- 19 8. Given the Court’s denial of the United States’ Motion to Dismiss, Relator
20 and Academy agree that Academy’s Motion to Dismiss and Motion to Transfer Venue are
21 now ripe to be heard, and therefore jointly request that the hearing be placed back on the
22 Court’s docket.
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1 9. Counsel for the Parties have conferred and agreed to, and therefore jointly
2 request, that the Court place the hearing on Academy's Motion to Dismiss and Motion to
3 Transfer on the docket for August 2, 2018, at 1:30 pm.

4 WHEREFORE, the Parties jointly request that the hearing on Academy's Motion to
5 Dismiss the Amended Complaint and Motion to Transfer Venue be placed on the Court's
6 docket for August 2, 2018 at 1:30 pm.

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9 Dated: July 6, 2018

10 By: /s/ Mitchel H. Kider

11
12 Mitchel H. Kider
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Counsel for Relator

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

3 UNITED STATES OF AMERICA ex rel.
4 GWEN THROWER,

5 Plaintiff,

6 v.

7 ACADEMY MORTGAGE
8 CORPORATION,

9 Defendant.

Case No. 16-CV-02120-EMC

~~PROPOSED~~ ORDER TO RESET
HEARING

Judge: Hon. Edward M. Chen

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Upon consideration of the parties' joint request to reset the hearing on Academy's Motion to Dismiss the Amended Complaint and Motion to Transfer Venue, and good cause appearing, IT IS HEREBY ORDERED that the stipulation is GRANTED as follows:

The hearing on Academy's Motion to Dismiss the Amended Complaint and Motion to Transfer Venue shall be placed on the Court's docket for ~~August 2~~^{July 19}, 2018 at 1:30 pm.

Dated: 7/11/2018

