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16 Attorneys for Defendant United States of America

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18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

20 AWS MANAGEMENT, LLC, by and
 through MARY CHANDLER PETTY, a
 21 Partner Other than the Tax Matters
 Partner,

22 Plaintiff,

23 v.

24 UNITED STATES OF AMERICA, by and
 through its Agent, the INTERNAL
 25 REVENUE SERVICE,

26 Defendant.

) Case No. 05-1056 CW
) Consolidated with Case No. 05-1058 CW

) STIPULATION AND ORDER
) REGARDING SETTLEMENT
) CONFERENCE

1 _____)
2 AWS ACQUISITIONS, LLC, by and)
3 through MARY CHANDLER PETTY, a)
4 Partner Other than the Tax Matters)
5 Partner,)

6 Plaintiff,)

7 v.)

8 UNITED STATES OF AMERICA, by and)
9 through its Agent, the INTERNAL)
10 REVENUE SERVICE,)

11 Defendant.)
12 _____)

13 This stipulation between the plaintiffs and the defendant is based on the following
14 facts:

15 **RECITALS:**

16 1. On June 10, 2009, this Court issued an order (Document 53) approving
17 the parties' stipulation to continue discovery and trial deadlines, including extending the
18 time within which a Mandatory Settlement Conference must be conducted to no later
19 than November 17, 2009.

20 2. Based on that extension, the Court issued an order (Document 54)
21 vacating the settlement conference then scheduled for June 30, 2009 before Magistrate
22 Judge Brazil.

23 3. The parties have been notified that Magistrate Judge Brazil will retire on
24 October 2, 2009, and that, if the parties wished to schedule a settlement conference
25 after September, they should request that the Court reassign this case to a different
26 Magistrate Judge.

27 4. Because both parties are continuing to work diligently and cooperatively
28 towards settlement, the parties do not believe a settlement conference would be helpful
prior to November 2009.

5. The Parties therefore request that the Court reassign this case to a
different Magistrate Judge for the purpose of conducting a mandatory settlement
conference.

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Respectfully Submitted,

FOR THE PLAINTIFFS

LGI LLP
Bradley A. Patterson, Esq.


Date: July 1, 2009 By s/Bradley A. Patterson
Bradley A. Patterson
Attorney for Plaintiffs

FOR THE UNITED STATES

UNITED STATES ATTORNEY
Joseph P. Russoniello , Esq.
Thomas Moore, Esq.
Cynthia Stier, Esq.
Robert J. Higgins, Esq.
Bart D. Jeffress, Esq.

Date: July 1, 2009 By s/Robert J. Higgins
Robert J. Higgins
Attorneys for Defendant

PURSUANT TO THE STIPULATION, IT IS SO ORDERED, and this case is re-
assigned to Magistrate Judge to be assigned .

Date: 7/14, 2009 
The Honorable Claudia Wilken