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Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA –OAKLAND DIVISION

DIANE M. BERARDI-STOHNER,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 14-CV-01036-KAW

**STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING DATE OF
 HEARING ON DEFENDANT'S MOTION
 TO DISMISS**

Date: July 3, 2014
 Time: 1:30 p.m.
 Courtroom: 4 – 3rd Floor

Before the Honorable Kandis A. Westmore

WHEREAS, this matter was ^{assigned}~~referred~~ to Magistrate Judge Kandis A. Westmore on March 5, 2014; and

1 **WHEREAS**, Defendant filed a Notice of Motion and Motion to Dismiss for Lack of Subject
2 Matter Jurisdiction on April 22, 2014, setting the hearing on said motion for June 19, 2014; and

3 **WHEREAS**, on May 27, 2014, this Court continued the date of the hearing on Defendant's
4 motion to July 3, 2014; and

5 **WHEREAS**, counsel for plaintiff is scheduled to complete jury service on July 3, 2014; and

6 **WHEREAS**, the parties have met and conferred and consulted the Court's calendar for the
7 purpose of rescheduling the hearing on Defendant's motion for a time that is convenient to the Court
8 and counsel;

9 **IT IS THEREFORE HEREBY AGREED AND STIPULATED,**

10 that the parties request that the Court continue the hearing on Defendant's motion from
11 July 3, 2014, to August 7, 2014.

12
13 Dated: **June 19, 2014**

LAW OFFICES OF GILBERT Y. JAY

14
15 By: /s/

Nicholas K. Jay
Attorneys for Plaintiff

16
17 Dated: **June 19, 2014**

MELINDA HAAG
United States Attorney

18
19 By: /s/ Abraham A. Simmons

Abraham A. Simmons
Attorneys for the Federal Defendant

20
21 **~~PROPOSED~~ ORDER**

22
23 The stipulation is approved. The hearing on Defendant's Motion to Dismiss, previously set
24 for July 3, 2014, is continued to August 7, 2014, at 11:00 a.m., 1301 Clay Street, Oakland, CA
25 94612. **IT IS SO ORDERED.**

26 Dated: June 23, 2014

27 
The Honorable Kandis Westmore
United States Magistrate Judge