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8 Attorneys for the United States of America

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12 Donald E. Morris,

13 Plaintiff,

14 v.

15 United States of America,

16 Defendant.

Case No. 4:16-cv-00476-KAW

STIPULATION EXTENDING TIME TO
ANSWER OR OTHERWISE RESPOND
AND [PROPOSED] ORDER

17
18 IT IS HEREBY STIPULATED by and between Defendant the United States of America
19 (“United States”), and Plaintiff Donald E. Morris (“Plaintiff”) by and through undersigned counsel and
20 pursuant to Fed. R. Civ. P. 16(b)(4) and Local Civil Rule 6-2, that good cause exists and the parties
21 request that the Court continue the date for the United States to answer or otherwise respond to
22 Plaintiff’s Complaint, and the United States states as follows in support:

23 Plaintiffs commenced the instant action on or about January 27, 2016. Upon learning of the
24 Complaint, the Department of Justice contacted the Internal Revenue Service’s Office of Chief Counsel
25 and requested the administrative file associated with this case. The Office of Chief Counsel has yet to
26 provide a copy of the administrative file to the Department of Justice. Without the administrative file,
27 counsel for the United States is unable to prepare an adequate response to the Complaint.
28

1 Accordingly, the parties hereby stipulate that the United States shall have until May 31, 2016, to
2 answer or otherwise respond to Plaintiff's Complaint. The requested extension is not being made for
3 purposes of delay, but to allow for a review of the relevant administrative materials. No party has
4 obtained any previous extensions in this matter.

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6 Respectfully submitted this 27th day of April, 2016,

7 BRIAN J. STRETCH
8 United States Attorney

9 s/ Michael G. Pitman
10 MICHAEL G. PITMAN
11 Assistant United States Attorney

12 Attorneys for United States of America

13 s/ Edward I. Kaplan
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21 Attorneys for Plaintiff Donald E. Morris

22 [PROPOSED] ORDER

23 Upon stipulation of the parties, and for good cause shown, it is hereby ORDERED that the
24 United States of America shall have until May 31, 2016, to answer or otherwise respond to Plaintiff's
25 Complaint.

26 SO ORDERED this ____ day of _____, 2016.

27 _____
28 THE HONORABLE KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE

1 CERTIFICATE OF SERVICE

2 It is hereby certified that service of the foregoing STIPULATION EXTENDING TIME TO
3 ANSWER OR OTHERWISE RESPOND AND [PROPOSED] ORDER has been made this 27th day of
4 April, 2016, by way of the Court's ECF system to the following:

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12 s/ Michael G. Pitman
13 MICHAEL G. PITMAN
14 Assistant United States Attorney
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