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THE BOCCARDO LAW FIRM INC  
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\*E-FILED 12/5/08\*

JOHN C. STEIN, SBN 39417  
ATTORNEYS FOR PLAINTIFFS

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT - SAN JOSE

GARY NIVA and ALINKA NIVA, as	)	Case No.: C03-00908 RS
Administrators of the Estate of	)	
ERIC AUSTIN NIVA, deceased,	)	STIPULATION TO FILE <u>FIRST</u>
	)	<u>AMENDED</u> COMPLAINT FOR DAMAGES
Plaintiffs,	)	AND ORDER
	)	
vs.	)	
	)	
UNITED STATES OF AMERICA	)	
DEPARTMENT OF THE INTERIOR -	)	
BUREAU OF LAND MANAGEMENT,	)	
	)	
Defendants.	)	
	)	

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled action, by and between their respective counsel, that Plaintiffs be permitted to file their First Amended Complaint, alleging a wrongful death cause of action. It is further stipulated that defendant shall have 45 days from the filing of the First Amended Complaint to answer, move, or otherwise respond to the First Amended Complaint.

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DATED: December 5, 2008

THE BOCCARDO LAW FIRM, INC.

BY: \_\_\_/S/\_\_\_\_\_  
JOHN C. STEIN  
Attorneys for Plaintiffs

DATED: December 5, 2008

JOSEPH P. RUSSONIELLO  
UNITED STATES ATTORNEY

BY: \_\_\_/S/\_\_\_\_\_  
CLAIRE T. CORMIER  
Assistant U.S. Attorney  
Attorneys for Defendant

**ORDER**

IT IS SO ORDERED.

DATED: December 5, 2008  
\_\_\_\_\_

  
\_\_\_\_\_  
RICHARD SEEBORG  
United States Magistrate Judge