

1 JOSEPH P. RUSSONIELLO  
 United States Attorney  
 2 THOMAS M. NEWMAN (CTBN 422187)  
 Assistant United States Attorney  
 3 9th Floor Federal Building  
 450 Golden Gate Avenue, Box 36055  
 4 San Francisco, California 94102  
 Telephone: (415) 436-6805  
 5 Fax: (415) 436-6748  
[Thomas.Newman2@usdoj.gov](mailto:Thomas.Newman2@usdoj.gov)

\*E-Filed 4/20/09\*

6 Attorneys for the United States of America  
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8 **UNITED STATES DISTRICT COURT FOR THE**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN JOSE DIVISION**

11  
 12 **JOHN KESSLER, ADMINISTRATOR OF** )  
**THE ESTATE OF RUTH FOUND HAWKINS,** )  
 13 )  
**Plaintiff,** )  
 14 v. )  
 15 **UNITED STATES OF AMERICA,** )  
 16 **Defendant.** )

No. C-06-07492-RS

**STIPULATION TO  
VACATE CASE  
MANAGEMENT CONFERENCE**

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 18 1. A Case Management Conference is currently set for April 24, 2009 in this matter.  
 19 The parties previously filed several stipulations to continue the Case Management Conference in  
 20 an attempt to settle this matter.

21 2. As of the previous stipulation, the parties were waiting for final approval from  
 22 those individuals with full settlement authority and approval of the settlement by the Superior  
 23 Court of California. As of this date, the Superior Court has approved the parties' final  
 24 settlement. For that reason, the further Case Management Conference will not be necessary.

25 3. The parties request that the hearing be vacated at this time. The parties will  
 26 promptly file a stipulation to dismiss this case after the terms of the settlement have been  
 27 effectuated.  
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1 Dated: April 14, 2009

/s/Thomas M. Newman  
THOMAS M. NEWMAN  
Assistant United States Attorney  
Tax Division

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4 Dated: April 14, 2009

/s/Heather Munoz  
HEATHER MUNOZ  
Attorney for plaintiff

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ORDER

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In accordance with the parties' stipulation, IT IS SO ORDERED.

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11 Dated: April 20, 2009

  
RICHARD SEEBORG  
United States Magistrate Judge

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