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E-Filed 7/31/09

8 IN THE UNITED STATES DISTRICT COURT FOR THE
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

| | | |
|------------------------------|---|---------------------------|
| 11 RAYMON JONES, |) | NO. C08-05218 RS |
| |) | |
| 12 Petitioners, |) | |
| |) | STIPULATION TO CONTINUE |
| 13 v. |) | SHOW CAUSE HEARING AND |
| |) | PROPOSED ORDER |
| 14 UNITED STATES OF AMERICA, |) | |
| |) | |
| 15 Respondent. |) | |

17 1. The parties have reached agreement in this matter and are awaiting the
 18 processing of payment by the Internal Revenue Service. It is anticipated that payment
 19 will be forthcoming in approximately sixty days. Upon payment the parties would
 20 stipulate to an Order of Dismissal with Prejudice. .

21 2. The Court has set the following dates in this matter:
 22 a. August 3, 2009: File Stipulation of Dismissal;
 23 b. August 5, 2009: If no Stipulation of Dismissal has been filed, appear and
 24 show cause why dismissal is not warranted.

25 3. The parties jointly request a continuance of the date to file their Stipulation of
 26 Dismissal to October 19, 2009 and a Show Cause hearing if necessary to October 21,
 27 2009 as reflected in the proposed order below.

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2 DATED: July 29, 2009

The Law Offices of Jonathan M. Kaplan

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4 By: /s/ Jonathan M. Kaplan
Jonathan M. Kaplan
Attorney for Plaintiff, Raymon Jones

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7 DATED: July 29, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

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9 By: /s/ BLAKE D. STAMM
BLAKE D. STAMM
Assistant United States Attorney

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ORDER

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15 Good cause appearing, it is hereby ORDERED:

- 16 a. By October 19, 2009, the parties shall file a Stipulation of Dismissal;
- 17 b. On October 21, 2009, if no Stipulation of Dismissal has been timely filed, the
- 18 parties shall appear and show cause why dismissal is not warranted.

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21 DATED: 7/30/09

THE HONORABLE RICHARD SEEBORG
United States Magistrate Court Judge

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