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8 Attorneys for Defendant  
 United States of America

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

12 DOUGLAS WAYNE ROSS, JR., NICOLE ) CASE NO. 5:17-CV-02775-EJD  
 13 ROSS, and NEVILLE ROSS, individually and )  
 as Successors-In-Interest to DOUGLAS ) STIPULATION AND ~~PROPOSED~~ ORDER  
 14 WAYNE ROSS, SR., decedent, ) EXTENDING DEADLINE FOR DEFENDANT'S  
 ) ANSWER  
 15 Plaintiffs, )  
 )  
 16 v. )  
 )  
 17 UNITED STATES OF AMERICA, )  
 )  
 18 Defendant.

19 On November 17, 2017, the Court issued an order granting in part and denying in part  
 20 defendant's motion to dismiss. Accordingly, defendant's answer would normally be due by December 1,  
 21 2017. Defendant's counsel has requested, and plaintiff's counsel has agreed, that defendant may have an  
 22 extension to December 15, 2017 to file its answer. This case is scheduled for a case management  
 23 conference on January 11, 2018, so counsel for the parties do not believe that this requested extension  
 24 will cause any delay in this case.<sup>1</sup>

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 26  
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 28 <sup>1</sup> Counsel note that plaintiff's counsel has indicated that the dismissed plaintiffs will be filing a  
 new lawsuit soon, and that they anticipate seeking to consolidate the two actions. This may result in  
 some future delay in the existing case.

1 For the foregoing reasons, the parties, through their counsel of record, HEREBY STIPULATE AND  
2 REQUEST that the deadline for defendant's answer to the complaint in this action be extended to December  
3 15, 2017.

4 IT IS SO STIPULATED.

5 Respectfully submitted,

6 COTCHETT, PITRE & McCARATHY LLP

7 /s/ Emanuel B. Townsend

8 Dated: November 29, 2017

By:

NIALL P. McCARATHY

PETE McCLOSKEY, JR.

EMANUEL B. TOWNSEND

Attorneys for Plaintiffs

Douglas Wayne Ross, Jr., Nicole Ross,  
and Neville Ross

12 Dated: November 29, 2017

BRIAN J. STRETCH

United States Attorney

14 /s/ Claire T. Cormier

By:

CLAIRE T. CORMIER<sup>2</sup>

Assistant United States Attorney

16 **[PROPOSED] ORDER**

17 IT IS SO ORDERED.

18  
19 Dated: November 30, 2017



EDWARD J. DAVILA

UNITED STATES DISTRICT JUDGE

28 <sup>2</sup> I, Claire T. Cormier, hereby attest that I have been authorized to submit the electronic signatures indicated by a "conformed" signature (/s/) within this e-filed document.