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13 IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
14 SACRAMENTO DIVISION

15	)	Civil No. S-80-583-LKK [In Equity No. 30]
16 THE UNITED STATES OF AMERICA,	)	JOINT STIPULATION TO RESCHEDULE HEARING AND REVISE BRIEFING SCHEDULE AND PROPOSED ORDER
17 Plaintiff,	)	
18 v.	)	
19 H.C. ANGLE, et al.,	)	
20 Defendants.	)	
21	)	

22 The plaintiff, United States of America, and defendant Michael J. Barkley hereby  
23 stipulate to reset the hearing date on the defendant’s pending motion in this case and to revise the  
24 briefing schedule accordingly. This stipulation is submitted pursuant to Local Rule 78-230(e).  
25 As the grounds for the joint stipulation, the parties respectfully submit the following points and  
26 request that the court approve the joint stipulation and enter the attached order.

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- 1           1.       On December 21, 2009, the defendant filed a Motion to Require Changes in  
2                   Practices of the Water Master (Doc. 307).
- 3           2.       Under the current schedule, the plaintiff's response is due on January 25, 2010,  
4                   with defendant's reply on February 1, and a hearing set for February 8, 2010.
- 5           3.       On January 19, 2010, plaintiff's counsel contacted the defendant and requested an  
6                   extension of the briefing schedule and hearing date, due to the need for additional  
7                   time to respond to defendant's motion. Defendant advised plaintiff's counsel that  
8                   he did not oppose the extension of two weeks or longer.
- 9           4.       On January 22, 2010, plaintiff's counsel contacted the Court deputy clerk and  
10                   determined that April 5, 2010, is an available hearing date. Accordingly, the  
11                   parties stipulate and request that the court reset the hearing on plaintiff's motion  
12                   for April 5, 2010, at 10:00 a.m., and revise the briefing schedule as follows:
- 13                   •       February 22, 2010 - plaintiff's response to defendant's motion
- 14                   •       March 22, 2010 - defendant's reply brief

15 The parties also submit a proposed Order for the Court's consideration.

16  
17 Respectfully Submitted,

18 FOR THE DEFENDANT:

FOR THE PLAINTIFF:

19 */s/ Michael J. Barkley*

*/s/ Charles R. Shockey*

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26 Defendant, *in propria persona*

27 Dated: January 22, 2010.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he is an employee in the Sacramento Field Office of the United States Department of Justice, Environment and Natural Resources Division, 501 "I" Street, Suite 9-700, Sacramento, California, 95814-2322, that he is a person of such age and discretion to be competent to serve papers, and that, on January 22, 2010, he served copies of the following documents:

- Joint Stipulation to Reschedule Hearing and Revise Briefing Schedule; and
- Order Approving Joint Stipulation to Reschedule Hearing and Revise Briefing Schedule [Proposed]

on all counsel of record through the court's Electronic Case Filing system and, in addition, by causing copies to be placed in a prepaid envelope addressed to the person hereinafter named, at the place and address stated below, which are the last known place and addresses, and by depositing said envelope and contents in the United States Mail at Sacramento, California:

**VIA U.S. MAIL:**

**George Wilson**  
Office of the Water Master  
Stony Creek and Tributaries  
828 Eighth Street  
Orland, CA 95693

*/s/ Charles R. Shockey*

Charles R. Shockey