

1 XAVIER BECERRA, State Bar No. 118517
Attorney General of California
2 MARK R. BECKINGTON, State Bar No. 126009
Supervising Deputy Attorney General
3 JOHN D. ECHEVERRIA, State Bar No. 268843
Deputy Attorney General
4 300 South Spring Street, Suite 1702
Los Angeles, CA 90013
5 Telephone: (213) 269-6249
Fax: (213) 897-5775
6 E-mail: John.Echeverria@doj.ca.gov
Attorneys for Defendants

7
8 George M. Lee, State Bar No. 172982
SEILER EPSTEIN ZIEGLER & APPLGATE LLP
601 Montgomery Street, Suite 2000
9 San Francisco, CA 94111
Telephone: (415) 979-0500
10 Fax: (415) 979-0511

11 Raymond M. DiGuiseppe, State Bar No. 228457
THE DiGUISEPPE LAW FIRM, P.C.
12 2 North Front Street, Fifth Floor
Wilmington, NC 28401
13 Telephone: (910) 713-8804
Fax: (910) 672-7705
14 *Attorneys for Plaintiffs*

15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE EASTERN DISTRICT OF CALIFORNIA
17 SACRAMENTO DIVISION

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19 **WILLIAM WIESE, et al.,**
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Plaintiff,
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v.
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XAVIER BECERRA, et al.,
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Defendant.
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2:17-cv-00903-WBS-KJN

ORDER

Courtroom: 5, 14th Floor
Judge: Hon. William B. Shubb
Trial Date: None Set
Action Filed: April 28, 2017

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1 This Court, having reviewed the Joint Status Report of the parties filed on November 14,
2 2018, hereby orders as follows:

3 In light of the Order of the Ninth Circuit Court of Appeals in *Duncan v. Becerra*, Ninth
4 Circuit Case No. 17-56081, informing the parties that the request for a vote on whether to rehear
5 the appeal en banc has been withdrawn, and in accordance with the agreement of the parties in
6 this case, the stay currently in place is hereby lifted to permit Defendants to file a motion to
7 dismiss Plaintiffs' Third Amended Complaint.

8 A Scheduling Conference is set for **March 18, 2019 at 1:30 p.m.**

9 In addition, and in accordance with the parties' proposal, the Court hereby sets the
10 following dates and deadlines for Defendants' motion to dismiss Plaintiffs' Third Amended
11 Complaint: (i) Defendants' notice of motion and supporting papers shall be filed by January 21,
12 2019; (ii) Plaintiffs' opposition and supporting papers shall be filed by February 5, 2019;
13 (iii) Defendants' reply shall be filed by February 12, 2019; and (iv) the hearing on Defendants'
14 motion to dismiss will be held on **February 19, 2019 at 1:30 p.m.**

15 Discovery in this action shall remain stayed pending resolution of Defendants' motion to
16 dismiss, in accordance with this Court's Order issued on March 12, 2018 (Dkt. No. 80).

17 SO ORDERED.

18 Dated: November 15, 2018

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20 WILLIAM B. SHUBB
21 UNITED STATES DISTRICT JUDGE
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