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18 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**  
19

20 S. ROWAN WILSON,  
21 Plaintiff,

22 v.

23 ERIC HOLDER, Attorney General of the  
24 United States et al.,  
25 Defendants.

)  
)  
) Case No.: 2:11-CV-1679-GMN-(PAL)

)  
) **STIPULATED ORDER REGARDING**  
) **CONTINUATION OF MOTION**  
) **HEARING**  
)

1 The parties respectfully request that the Motion Hearing scheduled by the Court for  
2 October 5, 2012, be continued to a subsequent date, as soon as the Court's calendar permits. In  
3 support, the parties stipulate as follows:

4 1. Defendants have moved to dismiss Plaintiff's Complaint (Dkt. No. 10), and  
5 Plaintiff has cross-moved for summary judgment (Dkt. No. 17). On September 19, 2012, the  
6 Court entered an order setting a Motion Hearing for October 5, 2012. (Dkt. No. 27).

7 2. While the parties both wish to have this matter heard before the Court as soon as  
8 possible, counsel for both parties have previously scheduled engagements that conflict with the  
9 current hearing date. Counsel for Defendants previously scheduled non-business travel on  
10 October 5, 2012, and counsel for Plaintiff previously scheduled an arbitration conference.<sup>1</sup>

11 For these reasons, the parties request that the date for the Motion Hearing be continued.

12 Dated: September 24, 2012

Respectfully submitted,

13 STUART F. DELERY  
Assistant Attorney General

14 DANIEL G. BOGDEN  
United States Attorney

15 SANDRA M. SCHRAIBMAN  
Assistant Director, Federal Programs Branch

16 /s/ John K. Theis  
17 JOHN K. THEIS  
18 Trial Attorney, U.S. Department of Justice

19 *Attorneys for Defendants the United States of*  
20 *America, ATF, U.S. Attorney General Eric Holder,*  
21 *Acting ATF Director B. Todd Jones, and*  
22 *Assistant ATF Director Arthur Herbert,*  
*in their official capacities (collectively, the United*  
*States)*

23 /s/ Charles C. Rainey  
24 CHARLES C. RAINEY  
Rainey Devine, Attorneys at Law

25 *Attorney for Plaintiff*

26 <sup>1</sup> Counsel for Defendants is also not available on October 9 or 10.

1 IT IS HEREBY ORDERED that the Motion Hearing in this matter, currently set for  
2 October 5, 2012, is continued until \_\_\_\_\_, 2012.

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5 **IT IS SO ORDERED:**

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7 \_\_\_\_\_  
8 **UNITED STATES DISTRICT JUDGE**

9 **DATED:** \_\_\_\_\_  
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**PROOF OF SERVICE**

I, John K. Theis, Trial Attorney with the United States Department of Justice, certify that the following individuals were served with the **STIPULATED ORDER REGARDING CONTINUATION OF MOTION HEARING** on this date by the below identified method of service:

**Electronic Case Filing:**

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*Attorney for Plaintiff*

DATED this 24th day of September 2012.

/s/ John K. Theis  
John K. Theis  
Trial Attorney  
United States Department of Justice