

1 McGREGOR W. SCOTT
 United States Attorney
 2 BRIAN W. ENOS
 Assistant United States Attorney
 3 United States Courthouse
 2500 Tulare St., Ste. 4401
 4 Fresno, California 93721
 Telephone: (559) 497-4000
 5 Facsimile: (559) 497-4099
 6 Attorneys for defendant United States of America

7
 8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10	NASSR MOHAMED, owner of)	1:05-cv-0657-SMS
	FAMILY FOOD MARKET; NASSR)	
11	MOHAMMED and NABEEL ABDULLA,)	STIPULATION RE: CHANGE TO
	owners of PARKVIEW MARKET,)	HEARING DATE; ORDER
12)	
	Plaintiffs,)	
13)	
	v.)	
14)	
	UNITED STATES DEPARTMENT OF)	
15	AGRICULTURE FOOD AND)	
	NUTRITION,)	
16)	
	Defendant.)	
17)	
18)	

19 Plaintiffs Nassr Mohamed and Nabeel Abdulla ("plaintiffs")
 20 and defendant United States of America ("defendant")
 21 (collectively "the parties") stipulate, by and through their
 22 undersigned counsel, to move the hearing date regarding their
 23 cross motions for partial summary adjudication and/or summary
 24 judgment as set forth below.

25 The parties base their stipulation on good cause.
 26 Specifically, counsel for plaintiffs will be out of state on the
 27 date currently set for the hearing, Friday, February 6, 2009 as
 28 well as Friday, February 13, 2009. The parties therefore

1 stipulate that the hearing be moved from Friday, February 6, 2009
2 to Friday, February 20, 2009. The parties do not request that
3 the briefing schedule likewise be modified.

4 The parties specifically stipulate to the following
5 scheduling modification, and request the court to endorse the
6 modification by way of formal order:

7 **HEARING SCHEDULE**

8	<u>Old Date</u>	<u>New Date</u>
9		
10	February 6, 2009	February 20, 2009
11	@9:30 a.m.	@9:30 a.m.

Hearing on Cross
Motions for Partial
Summary Adjudication
and/or Summary Judgment

12 Respectfully submitted,

13 Dated: January 8, 2009

January 8, 2009

14 Law Offices of Bruce Leichty

McGREGOR W. SCOTT
United States Attorney

15 (As auth. 01/8/09)

16 /s/ Bruce Leichty
BRUCE LEICHTY
17 Attorneys for plaintiffs
Nassr Mohamed and
18 Nabeel Abdulla

/s/ Brian W. Enos
BRIAN W. ENOS
Attorneys for defendant
United States of America

19
20
21 IT IS SO ORDERED.

22 **Dated: January 13, 2009**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE