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9 Attorneys for Defendants ERROTABERE RANCHES, a California partnership; DANIEL D.  
10 ERROTABERE; an individual; JEAN ERROTABERE, an individual

11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA  
13 FRESNO DIVISION

14 JAMES M. OLVEY,  
15 Plaintiff,

Case No. 1:06-CV-00653-OWW-SMS

16 v.

**STIPULATION AND ORDER TO  
CONTINUE PRE-TRIAL CONFERENCE**

17 ERROTABERE RANCHES, a California  
18 partnership; DANIEL D. ERROTABERE; an  
19 individual; JEAN ERROTABERE, an individual  
20 Defendants.

21 Defendants ERROTABERE RANCHES, DANIEL D. ERROTABER, and JEAN  
22 ERROTABERE (“Defendants”) and Plaintiff JAMES M. OLVEY by and through their respective  
23 counsel of record, hereby agree as follows:

**RECITALS**

24 WHEREAS the Pre-trial Conference is currently scheduled for February 25, 2008 at 11:00  
25 a.m. in Courtroom 3;

26 WHEREAS the Joint Pre-trial Stipulation is currently due on February 15, 2008;

27 WHEREAS on January 28, 2008 the Motion for Summary Adjudication was taken under  
28 submission and the parties are currently waiting for the ruling which will impact the drafting of the  
joint pre-trial statement;

1 WHEREAS Defendants counsel has an expert deposition scheduled for February 25, 2008  
2 on a different matter that was only recently set by another party, and which conflict with the currently  
3 scheduled date for the Pre-Trial Conference;

4 IT IS HEREBY STIPULATED by and between the parties hereto, through their respective  
5 attorneys of record, as follows:

- 6 1. The parties respectfully request that the Pre-trial Conference in this matter shall be  
7 continued from February 25, 2008 until to March 3, 2008 at 11:00 a.m. in  
8 Department 3.

9  
10 Dated: February \_\_\_\_, 2008 LANG, RICHERT & PATCH, P.C.

11  
12 By \_\_\_\_\_  
13 Scott J. Ivy  
14 Attorneys for Defendants

15 Dated: February \_\_\_\_, 2008 MCCORMICK, BARSTOW, SHEPPARD  
16 WAYTE & CARRUTH

17 By \_\_\_\_\_  
18 William Littlewood  
19 Attorneys for Plaintiffs JAMES M. OLVEY

20 **ORDER**

21 On the stipulation and agreement of the parties through their attorneys of record and good  
22 cause appearing therefore:

23 IT IS ORDERED that the Pre-trial Conference in this matter shall be continued to March 3,  
24 2008, at 11:00 a.m. in Department 3. The Joint Pre-Trial Statement shall be filed no later than  
25 February 25, 2008.

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27 IT IS SO ORDERED.

28 Dated: February 7, 2008 /s/ Oliver W. Wanger

UNITED STATES DISTRICT JUDGE

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