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8
 9 UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA - FRESNO

10	BRUCE SONS, an individual,)	Case No. 1:08-CV-00840-AWI-GSA
)	[Complaint Filed: 6/13/08]
11	Plaintiff,)	Hon. Anthony W. Ishii, U.S. District Judge
)	Hon. Gary S. Austin, U.S. Magistrate Judge

12 v.

13	JIM MCMANIS,)	STIPULATION AND ORDER REGARDING BRIEFING SCHEDULE AND LIMITED DISCOVERY
)	
14	Defendants.)	

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 17 1. On March 4, 2009, the Court entered its Order regarding Briefing Schedule,
 18 Limited Discovery, and Continued Scheduling Conference ("the Order"), a copy of which is
 19 attached hereto as Exhibit "A."

20 2. Under the Order, discovery was to be completed no later than April 29, 2009;
 21 however, the plaintiff cannot be available for depositions until May 2009 due to his work
 22 schedule.

23 3. Accordingly, the parties are agreeable to moving back the remaining dates in the
 24 Order approximately one month, as follows:

25 a. Limited discovery as to the issues identified by the Court shall be
 26 completed no later than May 27, 2009;

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- 1 b. The parties are to brief the following four areas:
2 (1) the amount in controversy as it relates to diversity jurisdiction
3 (2) applicable statutes of limitation
4 (3) the statute of frauds, and
5 (4) res judicata

6 Briefs are to be filed no later than June 10, 2009; responding or opposition briefs
7 shall be filed no later than June 19, 2009.

8 A hearing on the aforementioned issues will be held on July 3, 2009, at 9:30 a.m.
9 in Courtroom 10 of this Court.

- 10 c. Additionally, the parties shall file a Joint Scheduling Report one week
11 prior to the hearing on July 3, 2009, for in the event the case is in a posture to
12 proceed after the hearing, the Court will hold its Scheduling Conference and will
13 assign all relevant discovery and motion deadlines, as well as calendar the matter
14 for trial, et cetera.

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16 IT IS SO STIPULATED.

17 DATED: April 24, 2009

KLEIN, DeNATALE, GOLDNER,
COOPER, ROSENLIB & KIMBALL, LLP

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19 By: /s/ Dustin S. Dodgin
20 DUSTIN S. DODGIN
21 Attorneys for Defendant,
22 JAMES McMANUS

23 DATED: April 24, 2009

LAW OFFICES OF RANDALL M. RUMPH

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25 By: /s/ Randall M. Rumph
26 RANDALL M. RUMPH
27 Attorneys for Plaintiff,
28 BRUCE SONS

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IT IS SO ORDERED.

Dated: April 24, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE