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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

10
11 THERESA WALLEN,

12 Plaintiff,

13 vs.

14 TAHOE JOE'S, INC. dba TAHOE JOE'S
15 FAMOUS STEAK HOUSE, VIETTY
16 ENTERPRISES, LTD., ERMA RUTH
VIETTY,

17 Defendants.

Case No. 1:10-CV-00676-LJO-GSA

**STIPULATION AND ORDER FOR
CONTINUATION OF SETTLEMENT
CONFERENCE**

18 AND RELATED CROSS-ACTIONS.
19

20 **IT IS HEREBY STIPULATED** by and between Plaintiff Theresa Wallen and Defendant,
21 Cross-Defendant and Cross-Claimant Tahoe Joes, Inc.; Defendant and Cross-Complainant Vietty
22 Enterprises, Ltd.; and Cross-Defendant and Cross-Claimant West Shaw Village Partners, the
23 parties to this action (the "Parties"), by and through their respective counsels, as follows:

24 WHEREAS, on October 5, 2010 the Parties attended the Settlement Conference at the
25 United States District Court, Eastern District of California, Fresno Division.

26 WHEREAS, on October 5, 2010 the Parties agreed to continue the Settlement Conference
27 to November 8, 2010.
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1 WHEREAS, the Parties have continued to engage in settlement discussions since October
2 5, 2010.

3 WHEREAS, the Parties require additional time to prepare and finalize a settlement.

4 NOW THEREFORE, the Parties, by and through their counsel of record, hereby stipulate
5 to continue the Settlement Conference currently scheduled for November 8, 2010 to November 17,
6 2010 at 10:00 a.m.

7 IT IS SO STIPULATED.

8 DATED: November 5, 2010 MOORE LAW FIRM, P.C.

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10 By: /s/ Tanya Moore
Tanya Moore
11 Attorneys for Plaintiff Theresa Wallen

12 DATED: November 5, 2010 KIRBY NOONAN LANCE & HOGE LLP

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14 By: /s/ Charles T. Hoge
Charles T. Hoge
15 John K Landay
16 Attorneys for Defendant TAHOE JOE'S, INC.

17 DATED: November 5, 2010 GILMORE, WOOD, VINNARD & MAGNESS

18
19 By: /s/ Jennifer J. Panicker
Jennifer J. Panicker
20 Attorneys for Defendant and Cross-Complaint
Vietty Enterprises, Inc.

21 DATED: November 5, 2010 FIKE & WATSON

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23 By: /s/ David A. Fike
David A. Fike
24 Attorneys for Cross-Defendant and Cross-
25 Claimant West Shaw Village Partners
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IT IS HEREBY ORDERED as follows:

Plaintiff Theresa Wallen, and Defendant, Cross-Defendant and Cross-Claimant Tahoe Joes, Inc.; Defendant and Cross-Complainant Vietty Enterprises, Ltd.; and Cross-Defendant and Cross-Claimant West Shaw Village Partners request for continuation of the Settlement Conference is granted. The Settlement Conference is continued to November 17, 2010 at 10:00 a.m.

IT IS SO ORDERED.

Dated: November 5, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE