

1 Charles T. Hoge (110696)
John K Landay (257573)
2 **KIRBY NOONAN LANCE & HOGE LLP**
350 Tenth Avenue, Suite 1300
3 San Diego, California 92101-8700
Telephone: (619) 231-8666
4 Facsimile: (619) 231-9593
5 Attorneys for Defendant TAHOE JOE'S, INC.

6
7
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
FAMOUS STEAK HOUSE, VIETTY
15 ENTERPRISES, LTD., ERMA RUTH
VIETTY,

16 Defendants.
17

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.
28

1 WHEREAS, on November 5, 2010 the Parties agreed to continue the Settlement
2 Conference scheduled for November 8, 2010 to November 17, 2010.

3 WHEREAS, the Parties have continued to engage in settlement discussions since
4 November 5, 2010.

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

6 NOW THEREFORE, the Parties, by and through their counsel of record, hereby stipulate
7 to continue the Settlement Conference currently scheduled for November 17, 2010 to January 6,
8 2011 at 10:00 a.m.

9 IT IS SO STIPULATED.

10 DATED: November 15, 2010 MOORE LAW FIRM, P.C.

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

14 DATED: November 15, 2010 KIRBY NOONAN LANCE & HOGE LLP

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

18 DATED: November 15, 2010 GILMORE, WOOD, VINNARD & MAGNESS

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

23 DATED: November 15, 2010 FIKE & WATSON

24
25 By: /s/ David A. Fike
26 David A. Fike
 Attorneys for Cross-Defendant and Cross-
27 Claimant West Shaw Village Partners

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 January 6, 2011 at 10:00 a.m.

IT IS SO ORDERED.

IT IS SO ORDERED.

Dated: November 16, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE