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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

J & J SPORTS PRODUCTIONS, INC.,)	Case No.: 1:10-cv-02249 LJO JLT
)	
Plaintiff,)	ORDER GRANTING PLAINTIFF’S EX
v.)	PARTE APPLICATION AND CONTINUING
)	SCHEDULING CONFERENCE
)	
JOSE ALFREDO GOMEZ and SILVIA C.)	(Doc. 5)
GOMEZ, individually and d/b/a LOS)	
MANJARES RESTAURANT,)	
)	
Defendants.)	

This matter was initiated on December 3, 2010 by Plaintiff J & J Sports Productions (Doc. 1), and a summons was issued to Jose Alfredo Gomez and Sylvia C. Gomez on December 9, 2010. (Doc. 3). On March 16, 2011, Plaintiff filed its ex parte application for an order continuing the scheduling conference, because “Plaintiff has not yet perfected service of the initiating suit papers.” (Doc. 5 at 1). On March 16, 2011, proofs of service were filed, and the summons returned executed for Jose Alfredo Gomez and Sylvia C. Gomez. (Docs. 6-7).

Because defendants have been served with the summons and complaint, the Court is now able to conduct a scheduling conference. However, the parties have not had the opportunity to confer regarding “the claims, discovery, settlement, or any of the pertinent issues involving the case itself or the preparation of a Joint Status Report.” (Doc. 5 at 1). The Joint Status Report is a prerequisite to a scheduling order by the Court under Fed. R. Civ. P. 16.

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Based upon the foregoing, there is good cause to continue the Scheduling Conference in this matter. Accordingly, it is **HEREBY ORDERED**:

1. Plaintiff's ex parte application for continuing the scheduling order is **GRANTED**;
2. The Scheduling Conference set for March 23, 2011, at 9:00 am is **VACATED** and **RESET** for April 27, 2011, at 9:30 am.

IT IS SO ORDERED.

Dated: March 21, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE