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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

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11 NATIVIDAD GUTIERREZ,) No. 1:10-cv-02282-OWW-SKO
12 Plaintiff,)
13 vs.) **STIPULATION AND ORDER TO**
14 W K M ASSOCIATES, INC. dba MAGUIRE) **CONTINUE MANDATORY**
15 CHEVRON MINI MART,) **SCHEDULING CONFERENCE**
16 Defendants.)
17)

18 **WHEREAS**, Plaintiff and Defendant WKM ASSOCIATES, INC. dba MAGUIRE
19 CHEVRON MINI MART (“Defendant”) have engaged in good faith settlement negotiations,
20 reached an agreement regarding the settlement and resolution of this dispute, and are in the
21 process of making final revisions to the Settlement Agreement;

22 **WHEREAS**, the Mandatory Scheduling Conference is currently set for June 8, 2011,
23 which may not provide the parties sufficient time to finalize the Settlement Agreement and
24 circulate the Agreement to their respective clients for final review and signature;

25 **WHEREAS**, Plaintiff and Defendant desire to conserve the resources of this Court and
26 avoid incurring additional attorney fees and costs associated with the Mandatory Scheduling
27 Conference and the prerequisite filings and meet and confer efforts associated therewith;

1 **IT IS HEREBY STIPULATED** by and between Plaintiff and Defendant, by and
2 through their respective counsel, that the Mandatory Scheduling Conference in this matter be
3 continued to Wednesday, June 29, 2011 in order to allow the parties time to conclude the
4 settlement and dismissal of this action.

5 Date: May 31, 2011

MOORE LAW FIRM, P.C.

6 /s/ Tanya E. Moore

7 Tanya E. Moore

8 Attorneys for Plaintiff

9 Date: May 31, 2011

STAMMER, MCKNIGHT, BARNUM & BAILEY

10 /s/ Bruce J. Berger

11 Bruce J. Berger

12 Attorneys for Defendant WKM Associates, Inc.
13 dba Maguire Chevron Mini Mart

14 **ORDER**

15 The parties having so stipulated and good cause appearing therefor,

16 IT IS HEREBY ORDERED that the Mandatory Scheduling Conference currently set for
17 8:15 a.m. on June 8, 2011 be continued to 8:15 a.m. on June 29, 2011 in Courtroom # 3 (7th
18 Floor) before the Honorable Judge Oliver W. Wanger.

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21 IT IS SO ORDERED.

22 Dated: May 31, 2011

/s/ Oliver W. Wanger

23 UNITED STATES DISTRICT JUDGE