

**WILD, CARTER & TIPTON**  
**246 WEST SHAW AVENUE**  
**FRESNO, CALIFORNIA 93704**

1 Steven E. Paganetti (SBN 087513)  
2 **WILD, CARTER & TIPTON**  
3 A Professional Corporation  
4 246 West Shaw Avenue  
5 Fresno, California 93704  
6 Telephone: (559) 224-2131  
7 Facsimile: (559) 224-8462  
8 E-mail: spaganetti@wctlaw.com

9 Attorneys for Petitioner  
10 Lion Raisins, Inc.

11 **UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**  
13 **FRESNO DIVISION**

14 LION RAISINS, INC.,  
15 Plaintiff,  
16 v.  
17 EDWARD L. FANUCCHI, EDWARD D.  
18 FANUCCHI, and Does 1 through 25,  
19 inclusive,  
20 Defendant.

) Case Number 1:11-CV-00039-AWI-JLT  
)  
) **STIPULATION AND ORDER TO**  
) **CONTINUE DEFENDANT’S EDWARD**  
) **L. FANUCCHI AND EDWARD D.**  
) **FANUCCHI’S MOTION TO STRIKE**  
) **AND MOTION TO DISMISS RULE**  
) **12(b)(6)**  
\_\_\_\_\_

21 IT IS HEREBY STIPULATED by and between the parties Plaintiff Lion Raisins,  
22 Inc. and Defendants Edward L. Fanucchi and Edward D. Fanucchi by and through their  
23 respective attorney’s of record that the Defendant’s Motion to Strike and Motion to Dismiss Rule  
24 (b)(6) currently set for April 4, 2011 be continued to May 4, 2011 at 1:30 p.m. in department 2 of  
25 this Court.

26 This Stipulation for continuance is entered into to promote judicial economy in  
27 view of the recent recommendation by Magistrate Jennifer L. Thurston to grant Plaintiff, Lion  
28 Raisins, Inc.’s Motion for Remand, which if adopted by this Court would rendered moot  
29 Defendants Motion to Strike.

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STIPULATION

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Dated: March 21, 2011

**WILD, CARTER & TIPTON**  
A Professional Corporation

By \_\_\_\_\_  
STEVEN E. PAGANETTI  
Attorneys for Lion Raisins, Inc.

Dated: March, 2011

**CAMPAGNE & CAMPAGNE**  
A Professional Corporation

By \_\_\_\_\_  
WILEY DRISKILL  
Attorneys for Edward L. Fanucchi and  
Edward D. Fanucchi

**ORDER**

Based upon the above Stipulation and good cause showing it is hereby Ordered that Defendants Edward L. Fanucchi and Edward D. Fanucchi's Motion to Strike and Motion to Dismiss currently set for April 4, 2011 is hereby continued to May 4, 2011 at 1:30 p.m. in department 2.

IT IS SO ORDERED.

Dated: March 21, 2011

  
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CHIEF UNITED STATES DISTRICT JUDGE