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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 May 4, 2011 be continued to June 6, 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.

STIPULATION

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Dated: April ____, 2011

WILD, CARTER & TIPTON
A Professional Corporation

By _____
STEVEN E. PAGANETTI
Attorneys for Lion Raisins, Inc.

Dated: April ____, 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 May 4, 2011 is hereby continued to June 6, 2011 at 1:30 p.m. in Courtroom 2.

IT IS SO ORDERED.

Dated: April 12, 2011



CHIEF UNITED STATES DISTRICT JUDGE