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10 Attorneys for Plaintiffs VIOLA COPPOLA, GARY COPPOLA,  
11 and THE TRUST OF ANTHONY M. COPPOLA

12 UNITED STATES DISTRICT COURT

13 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

14 VIOLA COPPOLA, GARY COPPOLA, and THE  
15 TRUST OF ANTHONY M. COPPOLA;

16 Plaintiffs,

17 v.

18 GREGORY SMITH, an individual; RICHARD  
19 LASTER, an individual; THE JANE HIGGINS  
20 NASH TRUST; JANE NASH AS EXECUTOR OF  
21 THE ESTATE OF DECATUR HIGGINS A/K/A  
22 THE ESTATE OF MABEL ELAINE HIGGINS;  
23 HARLEY MILLER, an individual; CHERYL  
24 MILLER, an individual; MARTIN AND MARTIN  
25 PROPERTIES; CALIFORNIA WATER SERVICE  
26 COMPANY; the CITY OF VISALIA; and DOES 1-  
27 20, inclusive;

28 Defendants.

Case No.: 1:11-CV-01257-AWI-BAM

**STIPULATION AND ORDER  
REGARDING EXTENDING TIME FOR  
PLAINTIFFS TO RESPOND TO  
DEFENDANT CAL WATER SERVICE  
COMPANY'S MOTION TO DISMISS  
PLAINTIFFS' FOURTH AMENDED  
COMPLAINT AND TO EXTEND  
HEARING DATE**

RELATED CROSS AND COUNTER-CLAIMS

1           **IT IS HEREBY STIPULATED**, pursuant to Eastern District of California Local Rule 144,  
2 by and between Plaintiffs Viola Coppola, Gary Coppola, and the Trust of Anthony M. Coppola  
3 (hereafter collectively as “Coppola”) and Defendant California Water Service Company (“Cal  
4 Water”) to extend the hearing and briefing schedule for Cal Water’s Motion to Dismiss Coppola’s  
5 Fourth Amended Complaint (Dkt. 123). Good cause exists as counsel for Coppola is heavily  
6 conflicted in the timeframe required to file an opposition. Counsel for Coppola requested the  
7 extension, and counsel for Cal Water agreed pursuant to the hearing and briefing schedule set forth  
8 as follows:

- 9           1. Cal Water’s Motion to Dismiss Coppola’s Fourth Amended Complaint (Dkt. 123), which is  
10           currently scheduled to be heard on June 10, 2013, at 1:30 p.m., will be extended to and heard  
11           on July 8, 2013, at 1:30 p.m., or to a date thereafter convenient to the Court.
- 12           2. Cal Water’s Motion to Dismiss Coppola’s Fourth Amended Complaint (Dkt. 123) shall have  
13           the following briefing schedule:
  - 14           a. Coppola’s opposition shall be filed and served on June 10, 2013; and
  - 15           b. Cal Water’s reply brief shall be filed and served on June 24, 2013.

17 Date: May 15, 2013

GREBEN & ASSOCIATES

18 /s/ Jan A. Greben

19 Jan A. Greben

Brett A. Boon

20 Attorneys for Viola Coppola, Gary Coppola and the  
Trust of Anthony M. Coppola

21 Date: May 15, 2013

GLASER WEIL FINK JACOBS HOWARD AVCHEN  
& SHAPIRO

23 Gregory R. McClintock

24 Noah Perch-Ahern

25 Attorneys for Defendant California Water Service  
Company

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**ORDER**

As to Cal Water's Motion to Dismiss Coppola's Fourth Amended Complaint (Dkt. 123), the Court hereby orders the following schedule:

The hearing date shall now be set for July 8, 2013, at 1:30 p.m.

1. Coppola will have until June 10, 2013, to file and serve an opposition to Cal Water's Motion to Dismiss Coppola's Fourth Amended Complaint (Dkt. 123); and
2. Cal Water will have until June 24, 2013, to file and serve a reply brief.

IT IS SO ORDERED.

Dated: May 15, 2013

  
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SENIOR DISTRICT JUDGE