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17 Attorney Plaintiffs, FRISCO HONNEVK and  
18 BOUALAI VONGPHACHANH

19 UNITED STATES DISTRICT COURT  
20 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

21 FRISCO HONNEVK, BOUALAI  
22 VONGPHACHANH,  
23 Plaintiffs,  
24 vs.  
25 FARMERS NEW WORLD LIFE  
26 INSURANCE COMPANY,  
27 Defendant.

28 CASE NO. 1:11 CV 01531 AWI DLB  
**STIPULATION AND ORDER TO  
CONTINUE SCHEDULING  
CONFERENCE DATE**

**TO THE CLERK OF THE ABOVE ENTITLED COURT AND TO ALL  
PARTIES AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:**

1 It is hereby stipulated by and between plaintiffs, FRISCO HONNEVK and  
2 BOUALAI VONGPHACHANH, and defendant, FARMERS NEW WORLD LIFE  
3 INSURANCE COMPANY ("FNWL"), and each of them, by and through their  
4 respective attorneys of record that the June 25, 2013 Scheduling Conference be  
5 continued to a date established by this Court.

6 This Stipulation is predicated on good cause and not presented for purposes of  
7 delay and is based on the following facts.

8 1. By this Court's April 26, 2013 Minute Order, the previously set Pretrial  
9 Conference date of May 3, 2013, and the June 11, 2013 trial date were vacated in light  
10 of the fact that the Court has not yet issued a ruling on defendant FNWL's pending  
11 Motion for Summary Judgment and/or Summary Adjudication. Instead, the Court set  
12 this case for a Scheduling Conference to occur on June 25, 2013.

13 2. The Court has not yet assigned a new trial date to this action.

14 3. The Court has not yet issued a ruling on FNWL's pending Motion for  
15 Summary Judgment. Accordingly, counsel for plaintiffs and defendant have met and  
16 conferred, and agreed to submit this Stipulation to the Court requesting that the  
17 June 25, 2013 Scheduling Conference be continued until the Court has ruled on the  
18 pending Motion for Summary Judgment. The parties decided to submit this request  
19 since they do not know how they would prepare for or know what issues need to be  
20 addressed at the Scheduling Conference until a ruling has been issued on the pending  
21 Motion for Summary Judgment.

22 4. Predicated on these facts, the parties respectfully request this Court to  
23 continue the June 25, 2013 Scheduling Conference until after a ruling has been issued  
24 on defendant FNWL's pending Motion for Summary Judgment.

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**IT IS SO STIPULATED.**

DATED: June 12, 2013

MURCHISON & CUMMING, LLP

Bv: /s/  
William D. Naeve  
Attorneys for Defendant,  
FARMERS NEW WORLD LIFE  
INSURANCE COMPANY

DATED: June 12, 2013

TIMOTHY I. MARKS & ASSOCIATES

Bv: /s/  
Timothy I. Marks  
Attorneys for Plaintiffs  
FRISCO HONNEVK and BOUALAI  
VONGPHACHANH

**ORDER**

Based upon the foregoing and GOOD CAUSE APPEARING THEREFOR,

**IT IS SO ORDERED:**

The existing Scheduling Conference date of June 25, 2013, shall be continued to August 27, 2013 at 3:00 p.m. and the filing deadlines for documents required to be filed in advance of this Scheduling Conference shall be continued pursuant to *Federal Rules of Civil Procedure* Rules 281 and 281.

IT IS SO ORDERED.

Dated: June 13, 2013

  
UNITED STATES MAGISTRATE JUDGE