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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

10 VALLEY EXPRESS, INC.,  
 11 Plaintiff,  
 12 v.  
 13 EXEL INC.,  
 14 Defendant.

NO. 1:12-cv-01183 AWI MJS

**ORDER CONTINUING HEARING FOR WRIT OF ATTACHMENT AND MOTION TO STAY LITIGATION, AND RELATED DEADLINES**

Complaint Filed: July 19, 2012  
 Trial Date: None

15 The Court has reviewed the ex parte application of Plaintiff, VALLEY EXPRESS, INC.,  
 16 to continue the hearing date for Plaintiff's writ of attachment and motion to stay litigation and all  
 17 related deadlines. On the basis thereof, the Court finds good cause to grant the application  
 18 **subject to the following:** This matter was continued once before to enable the parties to explore  
 19 settlement. From the instant application, it appears that substantive discussions of settlement  
 20 were delayed approximately two months and not undertaken until shortly before expiration of  
 21 extended deadlines. To avoid the necessity of yet another application for extension of time, the  
 22 parties shall resume substantive negotiations forthwith, and in no event later than twenty one  
 23 days from the date of this order and ensure such negotiations are fully explored and completed  
 24 before March 29, 2013.

The new hearing date and deadlines are as follows:

- 26 1. The parties shall resume substantive settlement negotiations not later than twenty
- 27 one days from the date of this Order.
- 28 2. .EXEL INC.'s response to VALLEY EXPRESS, INC.'s complaint is now due on

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March 29, 2013.

3. Hearing on Plaintiff's application for writ of attachment and motion to stay litigation is rescheduled to April 19, 2013, at 1:30 p.m., in Fresno Courtroom 6.

4. Meet and Confer is rescheduled to April 26, 2013.

5. Joint Scheduling Conference Statement is due May 10, 2013.

6. Initial Scheduling Conference is set for May 17, 2013, at 10:00 a.m., in Fresno Courtroom 6.

7. **Absent presently unanticipated and presently unanticipatable circumstances and good cause, no further such continuances will be granted.**

IT IS SO ORDERED.

Dated: January 19, 2013

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE