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9 **Attorneys for Plaintiff**
10 **J & J Sports Productions, Inc.**

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

14 **J & J SPORTS PRODUCTIONS, INC.,**

15 **Plaintiff,**

16 **v.**

17 **MARTIN DELGADO,**

18 **Defendant.**

19 **CASE NO. 1:12-cv-01945-LJO-SKO**

20 **PLAINTIFF'S *EX PARTE***
21 **APPLICATION FOR AN ORDER**
22 **CONTINUING INITIAL SCHEDULING**
23 **CONFERENCE; AND ORDER**

24 **TO THE HONORABLE SHEILA K. OBERTO, THE DEFENDANT/S AND THEIR**
25 **ATTORNEY/S OF RECORD:**

26 Plaintiff J & J Sports Productions, Inc., hereby applies *ex parte* for an order continuing the
27 Initial Scheduling Conference presently set for Tuesday, March 5, 2013 at 9:30 AM. As set forth below
28 Plaintiff respectfully requests that the Court continue the Initial Scheduling Conference to a new date
approximately Thirty (30) to Forty-Five (45) days forward.

The request for the brief continuance is necessitated by the fact that Plaintiff has not yet
perfected service of the initiating suit papers upon the Defendant Martin Delgado, individually and
d/b/a Carniceria Y Taqueria Don Chuy. As a result, Plaintiff's counsel has not conferred with the
defendant concerning the claims, discovery, settlement, ADR or any of the other pertinent issues
involving the case itself or the preparation of a Initial Scheduling Conference Statement.

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Plaintiff recently identified an alternative address that it believes will be successful to serve
its initiating suit papers, upon the Defendant.

1 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court continue the Initial
2 Scheduling Conference, presently scheduled for Tuesday, March 5, 2013 at 9:30 AM.

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Respectfully submitted,

Dated: February 20, 2013

/s/ Thomas P. Riley
LAW OFFICES OF THOMAS P. RILEY, P.C.
By: Thomas P. Riley
Attorneys for Plaintiff
J & J Sports Productions, Inc.

ORDER

It is hereby ordered that the Initial Scheduling Conference in civil action number 1:12-cv-01945-LJO-SKO styled *J & J Sports Productions, Inc. v. Delgado*, is hereby continued from 9:30 AM, Tuesday, March 5, 2013, to April 9, 2013, at 10:15 a.m.

Plaintiff shall serve a copy of this Order on the Defendant and thereafter file a Certification of Service of this Order with the Clerk of the Court.

IT IS SO ORDERED.

Dated: **February 20, 2013**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE