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7 UNITED STATES DISTRICT COURT
 8 EASTERN DISTRICT OF CALIFORNIA
 9 FRESNO DIVISION

11 ROBERT KRUCKI,)	CASE NO.: 1:13-CV-00479-LJO-BAM
)	
12 Plaintiff,)	
13 v.)	STIPULATION AND ORDER FOR
)	EXTENSION OF TIME FOR DEFENDANT
14 RUDY WAGNER JR., TRUSTEE, d/b/a)	TO FILE RESPONSIVE PLEADING
15 CHICKEN MAN and d/b/a RUDY JR'S)	
16 CHICKEN MAN; DOES 1-5, inclusive;)	
Defendants.)	

17 Pursuant to Federal Rule of Civil Procedure 6(b)(A) and Local Rule 144, Plaintiff, ROBERT
 18 KRUCKI ("Plaintiff") and Defendant RUDY WAGNER JR. TRUSTEE dba CHICKEN MAN
 19 ("Defendant") (collectively, the "Parties"), jointly move for an extension of time for Defendant to file
 20 a responsive pleading pursuant to Federal Rule of Civil Procedure 12(a)(1), and state as follows:

21 Pursuant to Federal Rule of Civil Procedure 12, Defendant's responsive pleading is currently due
 22 on May 3, 2013. Defendant has not previously obtained an extension in which to file his responsive
 23 pleading.

24 The Parties have tentatively agreed to settle this case. Pursuant to the tentative settlement
 25 agreement between the Parties, Defendant will make two (2) payments to the Plaintiff for a total of
 26 \$4,000.00. Defendant will pay Plaintiff an initial \$2,000.00 payment no later than May 10, 2013.

1 Defendant will make a second and final payment to Plaintiff of \$2,000.00 on or before June 9, 2013.
2 Upon final payment, Plaintiff will file a Notice of Settlement with the Court, and seek to have the action
3 dismissed.

4 Based upon the foregoing, the Parties respectfully request an extension of time in which
5 Defendant may file his responsive pleading (if it becomes necessary) until June 15, 2013.

6 Dated: May 6, 2013

By: /s/ LAYNE E. HAYDEN
LAYNE E. HAYDEN, Attorneys for Plaintiff, ROBERT
7 KRUCKI

8
9 Dated: May 6, 2013

GRISWOLD, LaSALLE, COBB,
DOWD & GIN, L.L.P.

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11 By: /s/ ROBERT W. GIN
12 ROBERT W. GIN, Attorneys for Defendant, RUDY
13 WAGNER, JR.

14
15 **ORDER**

16 Based on the Stipulation of the Parties, and for good cause appearing, IT IS HEREBY ordered
17 that Defendant, RUDY WAGNER, JR., has an extension of time until June 15, 2013, to file his
18 responsive pleading in this matter.

19 IT IS SO ORDERED.

20 Dated: May 6, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE