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(SPACE BELOW FOR FILING STAMP ONLY)

5 Attorneys for Defendants
6 WENDY'S OF FRESNO, INC., THE DESMOND
FAMILY REAL ESTATE LIMITED PARTNERSHIP
7

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT

10
11 RONALD MOORE,

12 Plaintiff,

13 v.

14 WENDY'S OF FRESNO, INC., THE
DESMOND FAMILY REAL ESTATE
15 LIMITED PARTNERSHIP,

16 Defendants.

Case No. 1:13-cv-00605-LJO

**SECOND STIPULATION TO EXTEND
TIME FOR ALL DEFENDANTS TO
RESPOND TO THE COMPLAINT;
ORDER THEREON**

17 IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, by
18 and through their respective counsel, that subject to Court approval, Defendants WENDY'S OF
19 FRESNO, INC., and THE DESMOND FAMILY REAL ESTATE LIMITED PARTNERSHIP
20 shall have a 37 day extension of time from today, June 13, 2013, to and including July 19, 2013,
21 to respond to Plaintiff RONALD MOORE's Complaint.

22 The Parties are engaging in meaningful settlement discussions and wish to have the
23 opportunity to explore a resolution without incurring the fees necessary to respond to the
24 complaint, or in unnecessarily using court resources. This extension does not alter or affect any
25 date or event already set by Court order.

26 This Stipulation may be executed in counterparts and by facsimile signature, each of
27 which when executed shall be an original and all of which together shall constitute one in the
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same Stipulation.

Dated: June 13, 2013

MCCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

By: _____

David L. Emerzian
Attorneys for Defendants
WENDY'S OF FRESNO, INC., THE
DESMOND FAMILY REAL ESTATE
LIMITED PARTNERSHIP

Dated: June 13, 2013

MOORE LAW FIRM, P.C.

By: _____

Tanya E. Moore
Attorneys for Plaintiff
RONALD MOORE

ORDER

Pursuant to the above stipulation of the parties, IT IS HEREBY ORDERED that Defendants Wendy's of Fresno, Inc., and the Desmond Family Real Estate Limited Partnership, shall have an extension of time to and including July 19, 2013, to respond to Plaintiff Ronald Moore's Complaint.

IT IS SO ORDERED.

Dated: June 14, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE