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12 DICK'S SPORTING GOODS, INC.
13 (erroneously sued and served as DICK'S
14 SPORTING GOODS, INC., dba DICK'S
15 SPORTING GOODS)

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19 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA

20
21 ALBERT GEORGE CURTIS,
22 Plaintiff,
23
24 vs.
25 DICK'S SPORTING GOODS, INC., dba
26 DICK'S SPORTING GOODS;
27 GATEWAY PLAZA PARTNERS, L.P., a
California Limited Partnership,
Defendants.

28 Case No. 13-CV-01199-LJO-SMS

**STIPULATION AND ORDER TO EXTEND
TIME OF DICK'S SPORTING GOODS,
INC. TO RESPOND TO COMPLAINT**

Complaint Filed: July 31, 2013

20 Pursuant to Local Rules 143 and 144, the undersigned counsel of record for Plaintiff
21 Albert George Curtis ("Plaintiff"), and Defendant Dick's Sporting Goods, Inc., erroneously sued
22 as Dick's Sporting Goods, Inc., dba Dick's Sporting Goods, ("Dick's Sporting Goods"), stipulate
23 and agree to extend the time for Dick's Sporting Goods to respond to Plaintiff's Complaint as
24 follows:

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26 WHEREAS, Plaintiff filed his complaint in this action on July 31, 2013 (the
27 "Complaint");

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60706428.1

STIPULATION TO EXTEND TIME TO
RESPOND TO COMPLAINT

1 WHEREAS, Defendant Dick's Sporting Goods was served with the Complaint on August
2, 2013;

3 WHEREAS, the response of Dick's Sporting Goods' was initially due on August 22,
4 2013,

5 WHEREAS, on August 11, 2013, the parties stipulated, pursuant to Local Rule
6 144, to extend the time for Dick's Sporting Goods and Defendant Gateway Plaza Partners, L.P. to
7 respond to the Complaint by twenty-eight (28) days until September 18, 2013;

8 WHEREAS, on September 13, 2013, the parties stipulated, pursuant to Local Rule 144, to
9 extend the time for Dick's Sporting Goods to respond to the Complaint until September 30, 2013,
10 in order to allow the parties more time to engage in settlement discussions to resolve this matter;

11 WHEREAS, the parties have been conducting meaningful settlement discussions and are
12 cautiously optimistic that they will reach a complete settlement prior to October 23, 2013, which
13 is the date that the parties must file their joint scheduling report;

14 WHEREAS, Plaintiff and Dick's Sporting Goods have met and conferred and have agreed
15 that it is in their best interests, and in the interests of justice, to extend the time for Dick's
16 Sporting Goods to respond to the Complaint for twenty-two (22) days, until October 22, 2013, to
17 permit meaningful settlement discussions while minimizing litigation expense;

18 WHEREAS, this extension will not alter any other date or deadline set by the Court;

19 WHEREAS, the Plaintiff and Dick's Sporting Goods agree that this stipulation does not
20 waive any right of the parties to request further extensions from the Court;

21 **IT IS STIPULATED AND AGREED THAT** Dick's Sporting Goods' time to answer or
22 otherwise respond to the Complaint shall be extended until October 22, 2013.

23 Nothing in this Stipulation shall be construed as a waiver of any of Plaintiffs' or
24 Defendants' rights, defenses, or arguments they would otherwise have.

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DATED: September 25, 2013

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

By: /s/ Jill S. Casselman
Michael A. Geibelson
Jill S. Casselman

ATTORNEYS FOR DEFENDANT
DICK'S SPORTING GOODS, INC.
(erroneously sued and served as DICK'S
SPORTING GOODS, INC., dba DICK'S
SPORTING GOODS)

DATED: September 25, 2013

MOORE LAW FIRM, P.C.

By: /s/ Tanya E. Moore
Tanya E. Moore

ATTORNEYS FOR PLAINTIFF ALBERT
GEORGE CURTIS

IT IS SO ORDERED.

DATE: September 26, 2013

/s/ SANDRA M. SNYDER
SANDRA M. SNYDER
UNITED STATES MAGISTRATE JUDGE