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8 Attorney for: Defendant, FIVE-REESE, INC.,
9 A California Corporation dba SIZZLER #3576; and
10 SIZZLER USA REAL PROPERTY, INC., a Delaware Corporation

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 ALBERT GEORGE CURTIS,

14 Plaintiff,

15 vs.

16 JOYCE FOREST, Trustee of the Joyce Forest
17 Inter Vivos Trust Agreement dated June 29,
18 1981; FIVE-REESE, INC., A California
19 Corporation dba SIZZLER #3576; SIZZLER
20 USA REAL PROPERTY, INC., a Delaware
21 Corporation

22 Defendants

Case No. 1:13-CV-01509-LJO-BAM

**STIPULATION RE: CONTINUANCE OF
MANDATORY SCHEDULING
CONFERENCE AND ORDER**

23 WHEREAS, Plaintiff, ALBERT GEORGE CURTIS (“Plaintiff”), has served all
24 defendants herein, namely, JOYCE FOREST, Trustee of the Joyce Forest Inter Vivos Trust
25 Agreement dated June 29, 1981; FIVE-REESE, INC., a California Corporation dba SIZZLER
26 #3576; and SIZZLER USA REAL PROPERTY, INC., a Delaware Corporation (collectively
27 “Defendants,” and together with Plaintiff, “the Parties”), with its First Amended Complaint
28 (“Complaint”);

1 WHEREAS, all Defendants have now filed and served answers to the Complaint, with
2 the latest answer being filed on behalf of Defendant, Sizzler USA Real Property, Inc., a Delaware
3 Corporation, on January 2, 2014;

4 WHEREAS, a Mandatory Scheduling Conference is set in this matter for January 28,
5 2014; and

6 WHEREAS, counsel for the above-referenced parties are discussing resolution of the
7 issues raised in the Complaint and would like to minimize their fees and costs as well as
8 conserve the resources of the Court, and, therefore wish additional time to fully explore
9 settlement prior to incurring the fees and costs associated with preparation for, and appearance at,
10 the Mandatory Scheduling Conference;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiff and
12 Defendants, through their respective attorneys of record, that the Mandatory Scheduling
13 Conference currently scheduled for January 28, 2014, be continued to a date at the Court's
14 convenience after March 7, 2014 to permit the Parties to fully explore and exhaust efforts
15 towards an informal resolution to this matter.

16 IT IS SO STIPULATED.

17 Dated: January 9, 2014

MOORE LAW FIRM, P.C.

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19
20 By: /s/Tanya E. Moore

Tanya E. Moore, Attorneys for Plaintiff,
ALBERT GEORGE CURTIS

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22
23 Dated: January 9, 2014

KAHN, SOARES & CONWAY, LLP

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25 By: /s/Rissa A. Stuart

Rissa A. Stuart, Attorneys for Defendant,
FIVE REESE, INC., a California corporation dba
SIZZLER #3576; and SIZZLER USA REAL
PROPERTY, INC., a Delaware Corporation

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Dated: January 9, 2014

ALLEN MATKINS LECK GAMBLE MALLORY &
NATSIIS LLP

By: /s/Ivan M. Gold
Ivan M. Gold, Attorneys for Defendant,
JOYCE FOREST, Trustee of the Joyce Forest
Inter Vivos Trust Agreement dated June 29,
1981

ORDER

The Parties having so stipulated and good cause appearing, **IT IS HEREBY ORDERED** that the Mandatory Scheduling Conference, currently scheduled for January 28, 2014, be continued to March 19, 2014 at 9:00 AM in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe. The Parties are to file a Joint Scheduling Report no later than seven (7) days prior to the Scheduling Conference.

IT IS SO ORDERED.

Dated: January 13, 2014

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE