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10 LA TAPATIA RETAIL STORE; HELEN CHAVEZ-HANSEN, Trustee of the HELEN
11 CHAVEZ-HANSEN LIVING TRUST

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19 Attorneys for Plaintiff Natividad Gutierrez

20 UNITED STATES DISTRICT COURT
21 EASTERN DISTRICT OF CALIFORNIA

22 NATIVIDAD GUTIERREZ,

23 Plaintiff,

24 vs.

25 LA TAPATIA TORTILLERIA, INC., a
26 California corporation, dba LA TAPATIA
27 RETAIL STORE; HELEN CHAVEZ-
28 HANSEN, Trustee of the HELEN CHAVEZ-
HANSEN LIVING TRUST,

Defendants.

Case No. 1:14-CV-00545-LJO-SKO

**SECOND STIPULATION AND ORDER TO
CONTINUE MANDATORY SCHEDULING
CONFERENCE**

DATE: September 4, 2014

TIME: 9:45 a.m.

CRTM: 7 (Sixth Floor)

**SHEILA K. OBERTO
U.S. MAGISTRATE JUDGE**

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STIPULATION

WHEREAS, Plaintiff in this action is pursuing remedies based on allegations of denial of right of access under the Americans with Disabilities Act. Plaintiff alleges that the La Tapatia Retail Store at 104 E. Belmont Avenue, Fresno, California fails to comply with legal requirements concerning wheelchair access.

WHEREAS, the parties obtained a previous continuance of the Mandatory Scheduling Conference from July 31, 2014 to September 4, 2014.

WHEREAS, following an inspection on July 15, 2014 related to the wheelchair access issues at La Tapatia Retail Store, Plaintiff submitted to the Defendants a confidential settlement offer. To date the parties have succeeded in reaching a tentative agreement on injunctive relief. They continue to negotiate over monetary relief. So as to allow the parties sufficient time to complete their settlement negotiations, it is requested the Mandatory Scheduling Conference set for September 4, 2014 be continued to a date on or after September 30, 2014 at the Court's convenience to allow the parties to fully exhaust all settlement efforts.

NOW, THEREFORE, the parties, by and through their counsel of record, hereby stipulate to continue the Mandatory Scheduling Conference from September 4, 2014 to a date convenient to the Court after September 29, 2014.

Dated: August 25, 2014 DOWLING AARON INCORPORATED
By: /s/ James D. Burnside III
James D. Burnside III
Attorneys for Defendants LA TAPATIA
TORTILLERIA, INC., a California corporation,
dba LA TAPATIA RETAIL STORE and
HELEN CHAVEZ-HANSEN, Trustee of the
HELEN CHAVEZ-HANSEN LIVING TRUST

Dated: August 25, 2014 MOORE LAW FIRM
By: /s/ Tanya E. Moore
Tanya E. Moore
Attorney for Plaintiff NATIVIDAD
GUTIERREZ

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ORDER

Upon reviewing the stipulation of counsel and good cause appearing,

IT IS HEREBY ORDERED that the Mandatory Scheduling Conference is continued from September 4, 2014, at 9:45 a.m. to **September 30, 2014, at 10:00 a.m.** The parties' Joint Scheduling Report shall be filed at least one week prior to the continued scheduling conference date.

IT IS SO ORDERED.

Dated: August 26, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE