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

CECIL SHAW,

Plaintiff,

v.

ROBERT A. SARGENTINI; ROCHELLE K.
SARGENTINI; NORMAN DEAN KATO dba
BOB'S MARKET; BOB'S MARKET, a
California corporation,;

Defendants.

Case No. 14-cv-00903-LJO-GSA

**THIRD STIPULATION FOR
EXTENSION OF TIME FOR
ROCHELLE K. SARGENTINI AND
NORMAN DEAN KATO dba BOB'S
MARKET TO RESPOND TO
COMPLAINT; STIPULATION TO
CONTINUE MANDATORY
SCHEDULING CONFERENCE;
ORDER THEREON**

WHEREAS, Plaintiff's Complaint was served upon Defendant ROCHELLE K. SARGENTINI (herein "Sargentini") and NORMAN DEAN KATO, dba BOB'S MARKET (herein "Kato") (collectively "Defendants").

WHEREAS, Defendants' Answer to the Complaint was due on August 11, 2014.

WHEREAS Plaintiff previously granted Defendants an extension of time to respond to the complaint to October 6, 2014.

WHEREAS Plaintiff previously granted Defendants a second extension of time to respond to the complaint to October 31, 2014.

1 WHEREAS the parties are desirous of exploring an early resolution and
2 settlement of this matter, the parties believe it to be mutually desirable to avoid further
3 costs of litigation to discuss and explore a resolution.

4 WHEREAS the parties wish to conserve party and court resources so that they
5 may be applied towards a resolution.

6 WHEREAS the Mandatory Scheduling Conference is currently set for
7 November 10, 2014.

8 WHEREAS Defendants hereby agree that they will obtain a CASp inspection of
9 the subject property within two (2) weeks of the filing of this Stipulation.
10

11 WHEREAS the parties are optimistic that a report regarding the CASp
12 inspection will be provided to Defendants within 30 days of filing this Stipulation, at
13 which point Defendants will engage Plaintiff in settlement discussions seeking a
14 resolution of his claims.

15 WHEREAS in light of the foregoing, the parties believe it appropriate to
16 continue the Mandatory Scheduling Conference for sixty (60) days (or to a date
17 convenient to the Court after January 12, 2015), in order to accomplish the CASp
18 inspection, generate a report, and explore settlement.
19

20 WHEREAS in light of the foregoing, the parties also believe it appropriate to
21 continue the last date by which Defendants may file their answer to Plaintiff's
22 complaint to December 19, 2014.

23 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff
24 CECIL SHAW (herein "Plaintiff") and Defendants ROCHELLE K. SARGENTINI and
25 NORMAN DEAN KATO dba BOB'S MARKET (collectively herein "Defendants"), by
26 and through their respective counsel, that pursuant to Federal Rule of Civil Procedure
27
28

1 144(a), Defendants' Answer or Response to Complaint, due on October 31, 2014, is
2 now due on or before December 19, 2014.

3 IT IS FURTHER STIPULATED AND AGREED by and between attorneys for the
4 respective parties herein that the Scheduling Conference be continued to a date at
5 least sixty days from the filing of this Stipulation (or to a date convenient to the Court
6 after January 12, 2015).

7 Date: November 3, 2014

MOORE LAW FIRM, P.C.

9 /s/ Tanya E. Moore

10 Tanya E. Moore
11 Attorneys for Plaintiff,
CECIL SHAW

12 Date: November 3, 2014

BONAKDAR LAW FIRM

14 /s/ Roger S. Bonakdar

15 ROGER S. BONAKDAR
16 Attorney for Defendant,
Lila Pablo-Martinez

18 Date: November 3, 2014

/s/ Paul C. Franco

19 PAUL C. FRANCO
20 Attorney for Defendant,
21 Bob's Market, Inc.

ORDER

The Parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that Defendants ROCHELLE K. SARGENTINI and NORMAN DEAN KATO dba BOB'S MARKET (collectively herein "Defendants") shall file their Answer or Response to Complaint on or before December 19, 2014.

IT IS FURTHER ORDERED that the Scheduling Conference scheduled herein for November 10, 2014, is hereby continued to January 21, 2015 at 9:30 a.m., in Courtroom 10 before Magistrate Judge Gary S. Austin. The parties shall file a Joint Scheduling Report no later than seven days prior to the Scheduling Conference.

IT IS SO ORDERED.

Dated: **November 6, 2014**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE