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

11 CECIL SHAW

12 Plaintiff,

13 v.

14 DAVID DUNCAN dba COUNTRY  
15 WAFFLES #998 AND TONI L. SOLGAARD,  
16 Trustee of the ALBERT AND TONI  
17 SOLGAARD SURVIVOR'S TRUST dated  
18 December 28, 2000

19 Defendants.

Case No.: 1:14-CV-01152-LJO-BAM

**STIPULATION TO EXTEND TIME FOR  
DEFENDANTS DAVID DUNCAN dba  
COUNTRY WAFFLES #998 AND TONI L.  
SOLGAARD, Trustee of the ALBERT AND  
TONI SOLGAARD SURVIVOR'S TRUST  
dated December 28, 2000, TO RESPOND  
TO COMPLAINT; ORDER**

20 **WHEREAS**, Plaintiff CECIL SHAW ("Shaw") and Defendants DAVID DUNCAN dba  
21 COUNTRY WAFFLES #998 ("Duncan") AND TONI L. SOLGAARD, Trustee of the ALBERT  
22 AND TONI SOLGAARD SURVIVOR'S TRUST dated December 28, 2000 ("Solgaard," and,  
23 collectively with Duncan, "Defendants") are presently engaging in settlement discussions, and  
24 Duncan is in the process of obtaining a California Certified Access Specialist report;

25 **WHEREAS**, Duncan's responsive pleading is due on September 2, 2014;

26 **WHEREAS**, Solgaard's responsive pleading is due on August 19, 2014;

1           **WHEREAS**, Plaintiff and Defendants desire to conserve the resources of this Court and  
2 avoid incurring additional attorneys' fees and costs which would be necessitated by filing  
3 responsive pleadings while they are actively engaged in settlement negotiations and seeking to  
4 exhaust such settlement efforts;

5           **NOW, THEREFORE, IT IS HEREBY STIPULATED**, by and between Plaintiff and  
6 Defendants, by and through their respective counsel, that the deadline for Defendants to file their  
7 responsive pleadings shall be extended to September 30, 2014, which extension exceeds 28 days  
8 for Solgaard. This extension does not, however, affect any date or event set by Court order,  
9 including the Mandatory Scheduling Conference set for November 13, 2014.

10           **IT IS SO STIPULATED.**

11 Dated: August 19, 2014

MOORE LAW FIRM, P.C.

12  
13 BY: /s/ Tanya E. Moore  
14 Tanya E. Moore  
15 Attorney for Plaintiff,  
CECIL SHAW

16 Dated: August 19, 2014

FISHMAN, LARSEN, CHALTRAW & ZEITLER

17  
18 BY: /s/ Travis R. Stokes  
19 Travis R. Stokes  
20 Attorney for Defendant,  
David Duncan dba COUNTRY WAFFLES #998

21 Dated: August 19, 2014

LAW OFFICES OF SALLY A WILLIAMS

22  
23  
24 BY: /s/ Sally A. Williams  
25 Sally A. Williams  
26 Attorney for Defendant,  
27 TONI L. SOLGAARD, Trustee of the ALBERT  
AND TONI SOLGAARD SURVIVOR'S TRUST  
dated December 28, 2000

**ORDER**

The parties having so stipulated and good cause appearing, **IT IS HEREBY ORDERED**, that all defendants shall have to and including September 30, 2014 within which to file their responsive pleadings.

IT IS SO ORDERED.

Dated: August 20, 2014

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE