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

11 CECIL SHAW

12 Plaintiff,

13 vs.

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 ongoing settlement
24 discussions;

25 **WHEREAS**, Duncan's responsive pleading is due on September 30, 2014;

26 **WHEREAS**, Solgaard's responsive pleading is due on September 30, 2014;

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28 **WHEREAS**, Plaintiff and Defendants desire to conserve the resources of this Court and
avoid incurring additional attorneys' fees and costs which would be necessitated by filing
responsive pleadings while they are actively engaged in ongoing settlement negotiations and

1 seeking to exhaust such settlement efforts;

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

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9 **IT IS SO STIPULATED.**

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12 Dated: September 30, 2014

MOORE LAW FIRM, P.C.

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

17 Dated: September 30, 2014

FISHMAN, LARSEN, CHALTRAW & ZEITLER

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

23 Dated: September 30, 2014

LAW OFFICES OF SALLY A WILLIAMS

24
25 BY: /s/ Sally A. Williams
26 Sally A. Williams
27 Attorney for Defendant,
28 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 October 30, 2014 within which to file their responsive pleadings.

IT IS SO ORDERED.

Dated: October 1, 2014

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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