

1 **Thomas P. Riley, SBN 194706**
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
3 **First Library Square**
4 **1114 Fremont Avenue**
5 **South Pasadena, CA 91030-3227**

6 **Tel: 626-799-9797**
7 **Fax: 626-799-9795**
8 **TPRLAW@att.net**

9 **Attorneys for Plaintiff**
10 **J & J Sports Productions, Inc.**

11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**
13 **FRESNO DIVISION**

14 **J & J SPORTS PRODUCTIONS, INC.,**

15 **Plaintiff,**

16 **v.**

17 **ALVARO LUPIAN LUA,**

18 **Defendant.**

19 **CASE NO. 1:14-cv-01350---SAB**

20 **PLAINTIFF'S *EX PARTE***
21 **APPLICATION FOR AN ORDER**
22 **CONTINUING THE INITIAL**
23 **SCHEDULING CONFERENCE; AND**
24 **ORDER**

25 **TO THE HONORABLE STANLEY A. BOONE, THE DEFENDANT AND HIS**
26 **ATTORNEY/S OF RECORD:**

27 Plaintiff J & J Sports Productions, Inc., hereby applies *ex parte* for an order continuing the
28 Initial Scheduling Conference presently set for Tuesday, December 2, 2014 at 9:30 AM. As set forth
below Plaintiff respectfully requests that the Court continue the Initial Scheduling Conference to a new
date approximately Thirty (30) to Forty-Five (45) days forward.

The request for the brief continuance is necessitated by the fact that Plaintiff has not yet
perfected service of the initiating suit papers upon the Defendant Alvaro Lupian Lua, individually
and d/b/a El Progreso 4 Bar. As a result, Plaintiff's counsel has not conferred with the defendant
concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the
case itself or the preparation of a Joint Scheduling Report.

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1 Plaintiff recently identified an alternative address that it believes will be successful to serve
2 its initiating suit papers, upon the Defendant.

3 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court continue the Initial
4 Scheduling Conference, presently scheduled for Tuesday, December 2, 2014 at 9:30 AM.

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7 Respectfully submitted,

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10 Dated: November 21, 2014

/s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

J & J Sports Productions, Inc.

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ORDER

It is hereby ordered that the Initial Scheduling Conference in civil action number 1:14-cv-01350--SAB styled *J & J Sports Productions, Inc. v. Lua*, is hereby continued from 9:30 AM, Tuesday, December 2, 2014 to January 27, 2015 at 2:00 p.m. before Magistrate Judge Stanley A. Boone.

Plaintiff shall serve a copy of this Order on the Defendant and thereafter file a Certification of Service of this Order with the Clerk of the Court.

IT IS SO ORDERED.

Dated: November 21, 2014



UNITED STATES MAGISTRATE JUDGE

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PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena, California. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On November 21, 2014, I caused to serve the following documents entitled:

PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER CONTINUING THE INITIAL SCHEDULING CONFERENCE; AND ORDER (Proposed)

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was addressed to:

Alvaro Lupian Lua (Defendant)
40594 Lincoln Road, Suite B
Cutler, CA 93615

The fully sealed envelope with pre-paid postage was thereafter placed in our law firm's outbound mail receptacle in order that this particular piece of mail could be taken to the United States Post Office in South Pasadena, California later this day by myself (or by another administrative assistant duly employed by our law firm).

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct, and that this declaration was executed on November 21, 2014, at South Pasadena, California.

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Dated: November 21, 2014

/s/ Vanessa Morales

VANESSA MORALES