

1 **Bruce A. Neilson #096952**
 2 **7108 N. Fresno St. #410**
 3 **Fresno, California 93720**
Telephone (559) 432-9831
Facsimile (559) 432-1837

4 **Attorney for Defendants**
 5 Maria Guadalupe Heim and Stephen J.
 6 Heim dba Shell aka Mexicali Market;
 7 Nam HUU Nguyen and Nga Thi Dang,
 8 Successor Trustees of the Dang-Nguyen
 9 Family Revocable Living Trust 2005,

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

10 * * * * *

11		)	CASE NO. 1: 14-cv-01870---BAM
12	RONALD MOORE,)	
13	Plaintiff,	)	SECOND STIPULATION AND ORDER
14	vs.	)	FOR EXTENSION OF TIME FOR
15	MARIA GUADALUPE HEIM dba SHELL	)	MARIA GUADALUPE HEIM dba
16	aka MEXICALI MARKET; STEPHEN J.	)	SHELL aka MEXICALI MARKET;
17	HEIM dba SHELL aka MEXICALI	)	STEPHEN J. HEIM dba SHELL aka
18	MARKET; NAM HUU NGUYEN, Successor	)	MEXICALI MARKET; NAM HUU
19	Trustee of THE DANG-NGUYEN FAMILY	)	NGUYEN, Successor Trustee of THE
20	REVOCABLE LIVING TRUST 2005; NGA	)	DANG-NGUYEN FAMILY
21	THI DANG, Successor Trustee of THE	)	REVOCABLE LIVING TRUST 2005;
22	DANG-NGUYEN FAMILY REVOCABLE	)	NGA THI DANG, Successor Trustee of
23	LIVING TRUST 2005,	)	THE DANG-NGUYEN FAMILY
24	Defendants.	)	REVOCABLE LIVING TRUST 2005 TO
25		)	RESPOND TO COMPLAINT

21 **WHEREAS:**

- 22 1. Plaintiff RONALD MOORE filed this action on November 24, 2014.
- 23
- 24 2. This is the second request for an extension of time for MARIA GUADALUPE HEIM dba
- 25 SHELL aka MEXICALI MARKET; STEPHEN J. HEIM dba SHELL aka MEXICALI MARKET;
- 26 NAM HUU NGUYEN, Successor Trustee of THE DANG-NGUYEN FAMILY REVOCABLE
- 27 LIVING TRUST 2005; and NGA THI DANG, Successor Trustee of THE DANG-NGUYEN
- 28 FAMILY REVOCABLE LIVING TRUST 2005 (“Defendants”). A previous extension of time
- was granted by the plaintiff within the statutory allowance; thus, court approval is required for a

further extension of time.

1
2 3. Plaintiff and Defendants are in settlement negotiations at this time.

3
4 4. Defendants have presented a proposed plan of remediation, and time is needed for the
5 parties to review, make any needed adjustments and prepare a proposed settlement agreement.

6
7 5. The parties agree that settlement of this case would save valuable court time and resources.

8
9 6. The parties have agreed to extend Defendant's time to respond to the complaint until
10 February 19, 2015, subject to the court's approval, and believe that the case can be settled within
11 that time.

12
13 7. This extension of time will not alter any date or event already set by Court order, including
14 the mandatory scheduling conference.

15
16 NOW THEREFORE, Defendants through their attorneys, and Plaintiff Ronald Moore,
17 through his attorneys, hereby stipulate and agree that the time for Defendants MARIA
18 GUADALUPE HEIM dba SHELL aka MEXICALI MARKET; STEPHEN J. HEIM dba SHELL
19 aka MEXICALI MARKET; NAM HUU NGUYEN, Successor Trustee of THE DANG-NGUYEN
20 FAMILY REVOCABLE LIVING TRUST 2005; and NGA THI DANG, Successor Trustee of
21 THE DANG-NGUYEN FAMILY REVOCABLE LIVING TRUST 2005 to answer or otherwise
22 respond to the Complaint shall be extended up to and including February 19, 2015, pending court
23 approval.

24 IT IS SO STIPULATED.

25
26 Dated: January 30, 2015

MOORE LAW FIRM, PC

/s/Tanya Moore

Tanya Moore, Attorney for Plaintiff Ronald Moore

27
28 Dated: January 30, 2015

/s/Bruce A. Neilson

Bruce A. Neilson, Attorney for Defendants
Maria Guadalupe Heim and Stephen J. Heim dba
Shell aka Mexicali Market; Nam Huu Nguyen and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: February 2, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE