

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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JINJIANG DAXING (DIAPENIE) TEXTILE)
CO., LTD., a Chinese limited company,)
Plaintiff and Counter-Defendant,)
v.)
UV SKINZ, INC., a California corporation; and)
DOES 1 through 100.)
Defendant and Counterclaimant,)

Case No. 1:14-cv-01926-WBS-SKO
**JOINT STIPULATION TO
CONTINUE HEARING AND
REQUEST FOR APPOINTMENT OF
NEUTRAL FOR SETTLEMENT AND
ORDER**
Current Hearing Date: March 27, 2015
Continued Hearing Date: April 22, 2015
Time: 10:00 a.m.
Location: Courtroom 7

1 Pursuant to Local Rule 143, Plaintiff Jinjiang Daxing (Diapenie) Textile Co., Ltd. and
2 Defendant UV Skinz, Inc. (together, the “Parties”), by and through their undersigned attorneys,
3 hereby enter into this Joint Stipulation to continue the hearing on Plaintiff’s Application for Right
4 to Attach Order and Writ of Attachment (Dkt. 15), currently set for hearing on March 27, 2015 at
5 3:00 p.m. in Courtroom 7 of the above captioned court.

6 WHEREAS, on January 7, 2015, Plaintiff filed an application for a Right to Attach Order
7 and Writ of Attachment (“Writ of Attachment”) and noticed the hearing date for February 18, 2015
8 (Dkt. 15);

9 WHEREAS, on February 12, 2015, the Court vacated the February 18, 2015 hearing on the
10 Writ of Attachment (Dkt. 25);

11 WHEREAS, on March 19, 2015, Court set the hearing on Plaintiff’s Writ of Attachment
12 for March 27, 2015 (Dkt. 29);

13 WHEREAS, the Parties have been actively engaged in settlement discussions and request
14 a continuance of the hearing date so that they may focus their efforts on settlement before the
15 hearing on and resolution of Plaintiff’s Writ of Attachment; and

16 WHEREAS, the Parties request that the Court appoint a neutral or magistrate judge to
17 facilitate the Parties’ settlement discussions. The Parties do not believe the procedures set forth in
18 the Eastern District’s Voluntary Dispute Resolution Program are necessary given the significant
19 progress that the Parties have already made toward a resolution. The Parties anticipate the
20 neutral’s assistance would be limited to conducting phone conferences with the Parties and their
21 respective authorized representatives.

22 Now, therefore, **IT IS HEREBY STIPULATED** by and between the Parties as follows:

23 1. The hearing on Plaintiff’s Writ of Attachment, currently set for March 27, 2015, is
24 continued to April 17, 2015 at 3:00 p.m. so that the Parties may focus their efforts on settlement.

25
26 DATED: March 26, 2015

LEE TRAN & LIANG LLP

27
28 By: /s/ Enoch H. Liang

Enoch H. Liang

Tiffany S. Hansen
Tyler R. Austin
Attorneys for Plaintiff and Cross-Defendant
Jinjiang Daxing (Diapenie)Textile Co., Ltd.

DATED: March 26, 2015

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Lucy Wang (as authorized on 3/26/2015)
Charlene S. Shimada
Lucy Wang
Herman J. Hoying
Attorneys for Defendant and Cross-Complainant
UV Skinz, Inc.

ORDER

Based on the Joint Stipulation of the parties, and good cause appearing therefor, IT IS ORDERED that:

1. The hearing on Plaintiff's Application for Right to Attach Order and Writ of Attachment currently set for hearing on March 27, 2015, be continued to April 22, 2015, at 10:00 a.m. Telephonic appearances are approved. All parties who elect to appear telephonically are to coordinate with each other one conference call to the Court at (559) 499-5790 on the time and date for the hearing; and

2. The Court will confer with the parties informally to select a convenient date and time for a settlement conference which will then be set formally by minute order.

IT IS SO ORDERED.

Dated: March 26, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE