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Attorney for Plaintiff
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**UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA**

JOSE ESCOBEDO,

Plaintiff,

vs.

JOHN GOTTSCHALK dba
 GOTTSCHALK'S MUSIC CENTER, et al.,

Defendants.

No. 1:15-CV-00534-AWI-SMS

**STIPULATION FOR CONTINUANCE OF
 MANDATORY SCHEDULING
 CONFERENCE;
 ORDER THEREON**

WHEREAS, a Mandatory Scheduling Conference in this action is currently set for July 1, 2015;

WHEREAS, a joint scheduling report must be filed by all parties by June 24, 2015, pursuant to the Court's Order Setting Mandatory Scheduling Conference Requiring the Parties to Confer Pursuant to F.R.Civ.P. 26(f) (Dkt. 3);

WHEREAS, Defendant, John Gottschalk dba Gottschalk's Music Center ("Gottschalk"), is the only defendant who has appeared in the action to date;

WHEREAS, Defendants Donal J. Garner and Mary Lou Garner were dismissed from the action without prejudice on April 16, 2015 (Dkt. 5);

WHEREAS, Plaintiff, Jose Escobedo ("Plaintiff," and together with Gottschalk, "the Parties") has been unable to effect service of the summons and complaint to date on the sole

STIPULATION FOR CONTINUANCE OF MANDATORY SCHEDULING CONFERENCE;
 [PROPOSED] ORDER

1 remaining defendant who has not appeared or been dismissed, Ronald D. Deaver, Trustee of the
2 Ronald D. Deaver Revocable Trust, established September 1, 2014 (“Deaver”), but expects that
3 service on Deaver can be effected within the next three weeks;

4 WHEREAS, since Deaver has not yet been served, his responsive pleading will not be
5 due by the time of the July 1, 2015, scheduling conference;

6 WHEREAS, the Parties have not been able to meet and confer with Deaver to date as
7 Deaver has not yet made an appearance in the action nor contacted counsel for the Parties;

8 NOW, THEREFORE, the Parties, by and through their respective counsel, stipulate to a
9 continuance of the Mandatory Scheduling Conference currently set for July 1, 2015, to
10 September 2, 2015, at 1:30 p.m., to allow time for Deaver to be served with the summons and
11 complaint and to make an appearance, and for the Parties to meet and confer with Deaver and
12 file a joint scheduling report.

13
14 Date: June 22, 2015

MOORE LAW FIRM, P.C.

15
16 /s/ Tanya E. Moore

17 Tanya E. Moore
18 Attorney for Plaintiff
Jose Escobedo

19 Date: June 22, 2015

LAW OFFICE OF ZACHARY BEST

20
21 /s/ Zachary Best

22 Zachary Best
23 Attorney for Defendant
John Gottschalk dba Gottschalk’s Music Center

ORDER

The parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that the Mandatory Scheduling Conference currently set for July 1, 2015, is continued to September 2, 2015, at 1:30 p.m. in Courtroom 1. The parties shall file a joint scheduling report one week prior to the Scheduling Conference.

IT IS SO ORDERED.

DATED: 6/22/2015

/s/ SANDRA M. SNYDER
UNITED STATES MAGISTRATE JUDGE