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5 Attorneys for Defendants COURTESY OLDSMOBILE-CADILLAC, INC., a California
corporation, and BEN WELLS, an individual
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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 THE SHERWIN-WILLIAMS COMPANY,
d/b/a SHERWIN-WILLIAMS AUTOMOTIVE
12 FINISHES,

13 Plaintiff,

14 v.

15 COURTESY OLDSMOBILE-CADILLAC,
INC., a California corporation; and BEN WELLS,
16 an individual.

17 Defendant.
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Case No. 1:15-cv-01137-MJS

**STIPULATION AND ORDER TO
FURTHER EXTEND TIME TO AMEND
ANSWER AND FILE MOTION TO
STRIKE**

19 TO THE HONORABLE MICHAEL J. SENG, UNITED STATES MAGISTRATE JUDGE:

20 Defendants COURTESY OLDSMOBILE-CADILLAC, INC. and BEN WELLS
21 (collectively, "Defendants"), and Plaintiff, THE SHERWIN-WILLIAMS COMPANY, d/b/a
22 SHERWIN-WILLIAMS AUTOMOTIVE FINISHES ("Plaintiff"), by and through their
23 respective counsel, hereby agree and stipulate as follows:

24 **RECITALS**

25 WHEREAS, Plaintiff filed a Complaint for Damages and Demand for Jury Trial (the
26 "Complaint") on July 22, 2015, in United States District Court, Eastern District of California,
27 Case No. 1:15-cv-01137.

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1 WHEREAS, Defendants filed an Answer to the Complaint on October 5, 2015.

2 WHEREAS, Defendants intend to voluntarily amend their Answer, and by previous
3 Stipulation and Order, any Amended Answer must be filed on or before November 9, 2015.

4 WHEREAS, Plaintiff and Defendants have agreed to extend the time for Defendants to
5 voluntarily amend their Answer to on or before November 23, 2015.

6 WHEREAS, in the event Defendants do not voluntarily amend their Answer, Plaintiff and
7 Defendants have agreed to extend the time for Plaintiff to file a Motion to Strike to on or before
8 December 7, 2015.

9 **STIPULATION**

10 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendants
11 as follows:

12 1. The time for Defendants to file an Amended Answer shall be extended to on or
13 before November 23, 2015.

14 2. Should Defendants not file an Amended Answer, the time for Plaintiff to file a
15 Motion to Strike shall be extended to December 7, 2015.

16 **IT IS SO STIPULATED.**

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18 Dated: November 9, 2015

By: /s/ Matthew W. Quall
Matthew W. Quall
Attorneys for Defendants
COURTESY OLDSMOBILE-CADILLAC,
INC., a California corporation,
and BEN WELLS, an individual

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22 Dated: November 9, 2015

By: /s/ George Fish
George Fish
Attorneys for Plaintiff THE SHERWIN-
WILLIAMS COMPANY, d/b/a
SHERWIN-WILLIAMS AUTOMOTIVE
FINISHES

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ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED:

- 1. The time for Defendants to file an Amended Answer shall be extended to on or before November 23, 2015.
- 2. Should Defendants not file an Amended Answer, the time for Plaintiff to file a Motion to Strike shall be extended to December 7, 2015.

IT IS SO ORDERED.

Dated: November 10, 2015 */s/ Michael J. Seng*
UNITED STATES MAGISTRATE JUDGE