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

11 JOSE TRUJILLO,  
12 Plaintiff,

13 vs.

14 MARGARET E. PETERSEN, Trustee of the  
15 BYPASS TRUST UNDER THE DON R.  
16 PETERSEN AND MARGARET E.  
17 PETERSEN TRUST dated April 29, 1998, et  
al.,  
18 Defendants.

19  
20 AND RELATED CROSS-CLAIMS.  
21

) No. 1:16-cv-00728-DAD-EPG  
)  
)

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

22  
23 WHEREAS, a Mandatory Scheduling Conference in this action is currently set for  
24 August 30, 2016, pursuant to the Court's Order Setting Mandatory Scheduling Conference  
25 dated May 26, 2016 (Dkt. 4-1);

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

1           WHEREAS, on July 20, 2016, Defendant/Cross-Claimant Esteban Lopez dba Super Hi-  
2 Tek Hydro (“Lopez”) filed an Answer and Cross-Claim against Defendant/Cross-Defendant  
3 Margaret E. Petersen, Trustee of the Bypass Trust Under the Don R. Petersen Trust dated April  
4 29, 1998 (“Petersen”); and Cross-Defendant Randal S. George, individually and as Trustee of  
5 George Family Trust (“Randal George”) (Dkt. 8);

6           WHEREAS, on July 20, 2016, Defendant/Cross-Claimant Marcos Guillermo Marin dba  
7 Tint Master<sup>1</sup> (“Marin,” and together with Lopez, “Cross-Claimants”) filed an Answer and  
8 Cross-Claim against Defendant/Cross-Defendant Margaret E. Petersen, Trustee of the Bypass  
9 Trust Under the Don R. Petersen Trust dated April 29, 1998 (“Petersen”); and Cross-Defendant  
10 John F. George dba John F. George Rental Properties (“John George,” and together with Randal  
11 George and Petersen, “Cross-Defendants”) (Dkt. 9);

12           WHEREAS, on August 1, 2016, Plaintiff Jose Trujillo (“Plaintiff”) filed a First  
13 Amended Complaint (Dkt. 10) also naming Randal George and John George as defendants;

14           WHEREAS, Plaintiff served Petersen with the First Amended Complaint on August 15,  
15 2016, as set forth in the proof of service on file with the Court (Dkt. 12), and thus Petersen’s  
16 response to the First Amended Complaint is due September 6, 2016;

17           WHEREAS, Plaintiff is diligently attempting to effect service of the First Amended  
18 Complaint on Randal George and John George, and expects to do so within 90 days of the filing  
19 of the First Amended Complaint as required by Federal Rule of Civil Procedure 4(m), which is  
20 October 31, 2016;

21           WHEREAS, Cross-Claimants have not yet effected service of their Cross-Claims on any  
22 of the Cross-Defendants;

23           NOW, THEREFORE, Plaintiff and the Cross-Claimants, by and through their respective  
24 counsel, stipulate to a continuance of the Mandatory Scheduling Conference currently set for  
25 August 30, 2016 to a date at the Court’s convenience after November 28, 2016, to allow time  
26 for Plaintiff and the Cross-Claimants to effect service of their respective pleadings, for the  
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28 \_\_\_\_\_  
<sup>1</sup> Marin was dismissed from Plaintiff’s claims on August 19, 2016 (Dkt. 13).

1 Cross-Defendants to make an appearance, and for the Parties to meet and confer and file a joint  
2 scheduling report.

3  
4 Date: August 22, 2016

MOORE LAW FIRM, P.C.

5  
6 /s/ Tanya E. Moore

Tanya E. Moore

7 Attorney for Plaintiff,

8 Jose Trujillo

9 Date: August 22, 2016

YARRA, KHARAZI & CLASON

10  
11 /s/ H. Ty Kharazi

H. Ty Kharazi

12 Attorneys for Defendants/Cross-Claimants

13 Marcos Guillermo Marin dba Tint Master and

14 Esteban Lopez dba Super Hi-Tek Hydro

15 **ORDER**

16 The parties having so stipulated and good cause appearing,

17 IT IS HEREBY ORDERED that the Mandatory Scheduling Conference currently set for  
18 August 30, 2016, is continued to November 30, 2016, at 9:30 am in Courtroom 10, before  
19 Magistrate Judge Erica P. Grosjean. The parties are to file their Joint Scheduling Report no later  
20 than seven days prior to the conference.

21 IT IS SO ORDERED.

22  
23 Dated: August 22, 2016

/s/ Erica P. Grosjean

UNITED STATES MAGISTRATE JUDGE