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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

MAX MADAYAG,

 Plaintiff,

 vs.

MCLANE/SUNEAST, INC., a Texas
Corporation, PATRICIA HAWKINS, an
individual, and DOES 1 through 20,
inclusive,

 Defendants.

Case No. 1:16-cv-01082-AWI-SAB

**ORDER RE STIP TO CONTINUE
SCHEDULING CONFERENCE**

(ECF No. 17)

WHEREAS Plaintiff filed a Motion to Remand on August 15, 2016;
WHEREAS, on September 21, 2016, Senior District Judge Anthony W. Ishii
vacated the September 26, 2016, hearing on Plaintiff’s Motion to Remand and took the
matter under submission;
WHEREAS the parties are currently awaiting Judge Ishii’s ruling on Plaintiff’s
Motion to Remand;
WHEREAS the Court has a Scheduling Conference set in this matter for Monday,
October 31, 2016, at 3:30 p.m.;
WHEREAS the Court previously continued the Scheduling Conference due to the
Jewish high holiday of Rosh Hashanah (the Jewish New Year); and
WHEREAS counsel for the parties have conferred and both are available on
Monday, November 28, 2016;
IT IS HEREBY STIPULATED BY THE PARTIES, acting by and through their

1 below-signed counsel, that, subject to the below approval and Order of this Court, the
2 Scheduling Conference in this matter be changed from October 31, 2016, to November 28,
3 2016, beginning at 3:30 p.m.

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5 DATED: October 18, 2016

SWERDLOW FLORENCE
SANCHEZ SWERDLOW & WIMMER

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8 By: /S/David A. Wimmer
DAVID A. WIMMER
9 Attorneys for Defendants McLane/Suneast,
Inc. and Patricia Hawkins

10
11 DATED: October 18, 2016

BRYANT WHITTEN, LLP

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13 By: /S/Amanda B. Whitten
AMANDA B. WHITTEN
14 Attorneys for Plaintiff Max Madayag

15 **ORDER**

16 The parties having so stipulated and good cause appearing,

17 IT IS HEREBY ORDERED that the scheduling conference currently set for
18 October 31, 2016, is continued to November 28, 2016, at 3:30 p.m. before the undersigned
19 in Courtroom 9. The parties are to file their Joint Scheduling Report no later than seven
20 days prior to the conference.
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23 IT IS SO ORDERED.

24 Dated: October 18, 2016


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UNITED STATES MAGISTRATE JUDGE