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and Patricia Hawkins

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

16
17 MAX MADAYAG,

18 Plaintiff,

19 vs.

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

22 Defendants.

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

**STIPULATION AND ORDER TO
FURTHER CONTINUE SCHEDULING
CONFERENCE**

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24 WHEREAS Plaintiff filed a Motion to Remand on August 15, 2016;

25 WHEREAS, on September 21, 2016, Senior District Judge Anthony W. Ishii
26 vacated the September 26, 2016, hearing on Plaintiff's Motion to Remand and took the
27 matter under submission;

28 WHEREAS the parties are currently awaiting Judge Ishii's ruling on Plaintiff's

1 Motion to Remand;

2 WHEREAS the Court has a Scheduling Conference set in this matter for Monday,
3 November 28, 2016, at 3:30 p.m.;

4 WHEREAS, to conserve the parties' and the Court's resources pending the decision
5 on the Motion to Remand, the parties desire to continue the Scheduling Conference;

6 WHEREAS counsel for the parties have conferred and both are available on
7 Monday, January 30, 2017;

8 IT IS HEREBY STIPULATED BY THE PARTIES, acting by and through their
9 below-signed counsel, that, subject to the below approval and Order of this Court, the
10 Scheduling Conference in this matter be changed from November 28, 2016, to January 24,
11 2017, beginning at 3:30 p.m. before Magistrate Judge Stanley A. Boone. A joint
12 scheduling report is due one week before the new conference date.

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14 DATED: November 16, 2016

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

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20 DATED: November 16, 2016

BRYANT WHITTEN, LLP

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

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24 IT IS SO ORDERED.

25 Dated: November 17, 2016


UNITED STATES MAGISTRATE JUDGE

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