

1 **Bruce A. Neilson #096952**
2 **7108 N. Fresno St. #410**
3 **Fresno, California 93720**
4 **Telephone (559) 432-9831**
5 **Facsimile (559) 432-1837**

6 **Attorney for Defendants**
7 Reyna Tamez, Jose Nino, John
8 Bettencourt and Debby Bettencourt

9
10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12 * * * * *

13 JOSE ACOSTA,) CASE NO. 1:16-cv-01614-DAD-EPG
14)
15 Plaintiff,) SECOND STIPULATION AND ORDER
16 vs.) FOR EXTENSION OF TIME FOR ALL
17) DEFENDANTS TO RESPOND TO
18) COMPLAINT
19)
20 REYNA TAMEZ dba AL'S RICOS TACOS)
21 aka AL RICOS TACOS; JOSE NINO dba)
22 AL'S RICOS TACOS aka AL RICOS)
23 TACOS; JOHN BETTENCOURT; DEBBY)
24 BETTENCOURT;)
25)
26 Defendants.)
27)
28)

WHEREAS:

1. Plaintiff JOSE ACOSTA filed his complaint in this action on October 25, 2016.
2. This is the second request for an extension of time for REYNA TAMEZ dba AL'S RICOS TACOS aka AL RICOS TACOS, JOSE NINO dba AL'S RICOS TACOS aka AL RICOS TACOS, JOHN BETTENCOURT and DEBBY BETTENCOURT ("Defendants"). A previous stipulation for extension of time was granted by local rule and therefore court approval is required for a further extension of time. A joint status report is due on or about January 24, 2017.
3. Plaintiff and Defendants continue to be in settlement negotiations at this time, but time is needed to review a now completed CASp report and conclude the terms of a settlement.
4. The parties agree and submit that settlement of this case prior to the preparation of a joint status report would save valuable court time and resources.

1 5. The parties have agreed to extend Defendants' time to respond to the complaint until January
2 23, 2017, subject to the court's approval, and believe that the case can be settled within that time.
3 NOW THEREFORE, Defendants through their attorneys, and Plaintiff JOSE ACOSTA
4 through his attorneys, hereby stipulate and agree that the time for REYNA TAMEZ dba AL'S
5 RICOS TACOS aka AL RICOS TACOS, JOSE NINO dba AL'S RICOS TACOS aka AL RICOS
6 TACOS, JOHN BETTENCOURT and DEBBY BETTENCOURT to answer or otherwise respond
7 to the Complaint shall be extended up to and including January 23, 2017, pending court approval.
8 IT IS SO STIPULATED.

9
10 Dated: December 19, 2016

MOORE LAW FIRM, P.C.

/s/Tanya E. Moore
Tanya E. Moore, Attorney for Plaintiff Jose Acosta

11
12 Dated: December 19, 2016

/s/Bruce A. Neilson
Bruce A. Neilson, Attorney for Defendants,
Reyna Tamez, Jose Nino, John Bettencourt and
Debby Bettencourt

1
2 **ORDER**

3 **IT IS SO ORDERED that** defendants REYNA TAMEZ dba AL'S RICOS TACOS aka AL
4 RICOS TACOS, JOSE NINO dba AL'S RICOS TACOS aka AL RICOS TACOS, JOHN
5 BETTENCOURT and DEBBY BETTENCOURT shall have until January 23, 2017 to answer or
6 otherwise respond to the Complaint.

7 IT IS SO ORDERED.

8
9 Dated: December 20, 2016

/s/ Eric P. Gray
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28