

1 Rissa A. Stuart (SBN 166459)
rstuart@kschanford.com
2 Josh T. Fox (SBN 282072)
jfox@kschanford.com
3 **KAHN, SOARES & CONWAY, LLP**
219 North Douty Street
4 Hanford, CA 93230
Phone: (559) 584-3337
5 Fax: (559) 584-3348

6 Attorneys for Plaintiffs
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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **FRESNO DIVISION**

12 HECHINGER JOINT VENTURE #1, a
California general partnership; HECHINGER
13 JOINT VENTURE #2, a California general
partnership,

14 Plaintiffs,

15 vs.

16 HOME DEPOT U.S.A., INC., an individual,

17 Defendant.
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Case No. 1:17-CV-00175-AWI-SAB

**STIPULATION AND ORDER CONTINUING
MANDATORY SCHEDULING
CONFERENCE**

19 Plaintiffs, Hechinger Joint Venture #1 and Hechinger Joint Venture #2 (hereinafter
20 “Plaintiffs”), and Defendant Home Depot U.S.A., Inc. (hereinafter “Defendant”), by and through their
21 attorneys of record in this matter, hereby stipulate and agree that:

22 WHEREAS, Plaintiffs filed their initial Complaint in the Superior Court of California, County
23 of Tulare, on December 16, 2016;

24 WHEREAS, Defendants were served with Plaintiffs' Complaint and Summons on January 10,
25 2017;

26 WHEREAS, Defendant served and filed Notice of Removal to this Court on or about February
27 8, 2017 (ECF No. 1);
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1 WHEREAS, the Court's Initial Scheduling Order issued February 9, 2017 (ECF No. 3)
2 provides that a Mandatory Scheduling Conference shall be held on April 21, 2017;

3 WHEREAS, after Defendants removed to this Court and after the Court issued its Initial
4 Scheduling Conference Order, Plaintiffs elected to retain the firm of Kahn, Soares & Conway, LLP as
5 substitute counsel for the purpose of proceeding in this Court;

6 WHEREAS, Plaintiffs' new counsel require additional time to become familiar with the issues
7 presented and to subsequently engage in meaningful conference with Defendant's counsel under Fed.
8 R. Civ. P. 26(f);

9 NOW, THEREFORE, IT IS HEREBY STIPULATED that the Mandatory Scheduling
10 Conference scheduled for April 21, 2017 be continued to **June 22, 2017, at 2:00pm in Courtroom 9**
11 **(6th Floor)**.

12 KAHN, SOARES & CONWAY, LLP

13 Date: April 7, 2017

14 By /s/ Josh T. Fox
15 Rissa A. Stuart, Esq.,
16 Josh T. Fox, Esq.
17 Attorneys for Plaintiffs

18 SEDGWICK LLP

19 Date: April 7, 2017

20 By /s/ Nora Wetzel (as authorized on 4/7/17)
21 Randall Block, Esq.,
22 Nora Wetzel, Esq.
23 Attorneys for Defendant
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1 **ORDER**

2 The Court, having duly considered the parties' stipulation set forth above, and good cause
3 appearing, orders as follows:

4 The Mandatory Scheduling Conference initially scheduled for April 21, 2017 at 10:45 a.m. in
5 Courtroom #9 (6th Floor) is hereby continued to **June 22, 2017, at 2:00pm in Courtroom 9 (6th**
6 **Floor).**

7 IT IS SO ORDERED.

8 Dated: April 7, 2017

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11 UNITED STATES MAGISTRATE JUDGE
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