

1 DAVID S. BINDER, ESQ.; STATE BAR NO.: 209876
2 ROGER W. BACKLAR, ESQ.; STATE BAR NO.: 225277
3 **THARPE & HOWELL, LLP**
4 **15250 Ventura Blvd., Ninth Floor**
5 **Sherman Oaks, California 91403**
6 **(818) 205-9955; (818) 205-9944 fax**
7 **E-Mail: dbinder@tharpe-howell.com**

8 Attorneys for Defendants,
9 B. R. & S. ENTERPRISES INC. dba MUEBLERIA PLAZA FURNITURE,
10 ANTOUN KALIOUNDJI (erroneously sued and served as ANTOUN AMISH) and
11 ILHAM KALIOUNDJI (erroneously sued and served as ILHAM AMISH)

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 JOSE ACOSTA,

15 Plaintiff,

16 v.

17 B. R. & S. ENTERPRISES INC. dba
18 MUEBLERIA PLAZA FURNITURE;
19 ANTOUN AMISH; ILHAM AMISH;

20 Defendants.

Case No.: 1:17-cv-00370-LJO-EPG

STIPULATION AND ORDER 1) TO
CONTINUE SCHEDULING
CONFERENCE 2) TO CONTINUE
DEADLINE TO FILE JOINT
SCHEDULING REPORT AND 3) TO
EXTEND DEADLINE FOR ALL
DEFENDANTS TO RESPOND TO
COMPLAINT

21 Pursuant to United States District Court for the Eastern District of California
22 Local Rule 144(a) & (d) [Extensions], and Federal Rules of Civil Procedure, Rule
23 16(b)(2) [Good Cause], Plaintiff, JOSE ACOSTA, by and through his counsel,
24 Zachary M. Best, Esq., Mission Law Firm, A.P.C., and Defendants, B. R. & S.
25 ENTERPRISES INC. dba MUEBLERIA PLAZA FURNITURE; ANTOUN
26 KALIOUNDJI (erroneously sued and served as ANTOUN AMISH); and ILHAM
27 KALIOUNDJI (erroneously sued and served as ILHAM AMISH) (collectively
28 “Defendants”), by and through their counsel, David S. Binder, Esq., Tharpe &
Howell, LLP, hereby stipulate, and request an Order, as follows:

1. The Scheduling Conference, now set for June 20, 2017, be continued to a date convenient for the Court’s calendar on or after July 24, 2017;

- 1 2. The deadline to file a Joint Scheduling Report be continued to a date based
2 on the new Scheduling Conference date; and
3 3. That Defendants will have until July 10, 2017 to respond to Plaintiff's
4 initial Complaint filed in this action.

5 The parties previously stipulated to an extension of time for Defendants to
6 respond to the Complaint that did not exceed 28 days.

7 The parties seek the requested continuance and extension, and good cause
8 exists for same, because they are exploring settlement and are cautiously optimistic
9 that an informal resolution can be reached between them.. The parties wish to
10 explore and exhaust such settlement efforts prior to incurring unnecessary attorneys'
11 fees and costs, and unnecessarily consuming judicial resources.

12 This is a matter wherein Plaintiff alleges various violations of the Americans
13 with Disabilities Act and parallel California law at Defendants' retail property.
14 Defendants represent that they recently had a Certified Access Specialist ("CASp")
15 Inspection conducted at the subject property with the intention of, in a timely
16 manner, completing the corrections outlined in the report. .

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18 IT IS SO STIPULATED.

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21 Dated: May 3, 2017

MISSION LAW FIRM, A.P.C.

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24 By: /s/ Zachary M. Best .
25 ZACHARY M. BEST
26 Attorneys for Plaintiff
27 JOSE ACOSTA

1 Dated: May 3, 2017

THARPE & HOWELL, LLP

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By: /s/ David S. Binder .

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DAVID S. BINDER
ROGER W. BACKLAR
Attorneys for Defendants

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B. R. & S. ENTERPRISES INC. dba
MUEBLERIA PLAZA FURNITURE
ANTOUN KALIOUNDJI

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(erroneously sued and served as
ANTOUN AMISH) and ILHAM
KALIOUNDJI (erroneously sued and
served as ILHAM AMISH)

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Pursuant to the parties' stipulation and for good cause showing, IT IS
HEREBY ORDERED that:

1. The Scheduling Conference is continued from June 20, 2017, to August 9, 2017, at 9:30 AM in courtroom 10 before Magistrate Judge Erica P. Grosjean;
2. The parties shall file their Joint Scheduling Report no less than seven days prior to the Scheduling Conference; and
3. Defendants B. R. & S. ENTERPRISES INC. dba MUEBLERIA PLAZA FURNITURE ANTOUN KALIOUNDI (erroneously sued and served as ANTOUN AMISH) and ILHAM KALIOUNDI (erroneously sued and served as ILHAM AMISH) shall have until July 10, 2017 to respond to Plaintiff's Complaint.

IT IS SO ORDERED.

Dated: May 3, 2017

/s/ Erica P. Grosjean
UNITED STATES MAGISTRATE JUDGE