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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

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11 JOSE ACOSTA ,) No. 1:17-cv-00493-AWI-SAB
12 Plaintiff,)
13 vs.) **PLAINTIFF’S REQUEST TO CONTINUE**
14 ADRIANA GABRIELA GOMEZ dba) **MANDATORY SCHEDULING**
15 ZAMORA CARNITAS MEXICAN) **CONFERENCE; ORDER**
16 RESTAURANT, et al.)
17 Defendants.)
18)

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20 Plaintiff Jose Acosta (“Plaintiff”), by and through his attorneys of record, hereby
21 requests a continuance of the Mandatory Scheduling Conference currently scheduled in this
22 matter for June 27, 2017 at 9:45 a.m. for the reasons set forth below.

- 23 1. No defendants have appeared in this action.
24 2. Plaintiff filed a First Amended Complaint on June 6, 2016 (Dkt. 8), and
25 served the First Amended Complaint on defendants Adriana Gabriela Gomez dba Zamora
26 Carnitas Mexican Restaurant, Humberto Gomez dba Zamora Carnitas Mexican Restaurant,
27 Edmundo Sanchez, and Rosalia Soledad Rodriguez Ruiz, by mail on June 6, 2017 pursuant
28 to Federal Rule of Civil Procedure 5, as set forth on the proofs of service on file with the

1 Court (Dkt. 9 and 10). Pursuant to Federal Rule of Civil Procedure 15(a)(3), said defendants'
2 responsive pleadings are due on June 23, 2017.

3 3. Plaintiff is diligently attempting to serve newly named defendant Enrique
4 Sosa with the summons and First Amended Complaint.

5 4. As the defendants have not yet appeared, Plaintiff has not had the opportunity
6 to meet and confer with them to prepare the required joint scheduling report.

7 For the reasons set forth above, Plaintiff respectfully requests that the Mandatory
8 Scheduling Conference currently set for June 27, 2017 be continued to a date after August
9 27, 2017 at the Court's convenience.

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11 Dated: June 20, 2017

MISSION LAW FIRM, A.P.C.

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13 /s/ Zachary M. Best

Zachary M. Best

Attorneys for Plaintiff

Jose Acosta

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16 **ORDER**

17 Upon request by Plaintiff and good cause appearing,

18 **IT IS HEREBY ORDERED** that the Mandatory Scheduling Conference currently set
19 for June 27, 2017 be continued to August 31, 2017, at 3:30 p.m. before Magistrate Judge
20 Stanley A. Boone in Courtroom 9 of the above-entitled Court.

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22 IT IS SO ORDERED.

23 Dated: June 22, 2017

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UNITED STATES MAGISTRATE JUDGE