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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,) **STIPULATION FOR FURTHER**
13) **EXTENSION OF TIME FOR**
vs.) **DEFENDANTS' RESPONSIVE**
14) **PLEADINGS AND FOR FURTHER**
ADRIANA GABRIELA GOMEZ dba) **CONTINUANCE OF MANDATORY**
15) **SCHEDULING CONFERENCE; ORDER**
ZAMORA CARNITAS MEXICAN)
16)
RESTAURANT, et al.)
17)
Defendants.)
18)
19)
20)
21)

22 **WHEREAS**, Plaintiff Jose Acosta (“Plaintiff”), and Defendants, Adriana Gabriela
23 Gomez dba Zamora Carnitas Mexican Restaurant, Humberto Gomez dba Zamora Carnitas
24 Mexican Restaurant (“Defendants,” and together with Plaintiff, “the Parties”), previously
25 entered into a stipulation granting Defendants to and including August 10, 2017 to file
26 responsive pleadings in this matter (Dkt. 18);

27 **WHEREAS**, Defendants Edmundo Sanchez and Rosalia Soledad Rodriguez Ruiz were
28 dismissed from the matter on July 14, 2017 (Dkt. 15);

1 **WHEREAS**, Plaintiff previously requested, and the Court granted, a continuance of the
2 Mandatory Scheduling Conference in this matter such that the Mandatory Scheduling
3 Conference is now set for August 31, 2017 (Dkt. 13);

4 **WHEREAS**, the Parties are engaged in settlement negotiations and are hopeful that a
5 settlement can be reached informally, and desire to conserve attorney's fees which would be
6 incurred in filing the responsive pleading while they exhaust settlement efforts, and to conserve
7 Court resources;

8 **WHEREAS**, despite diligent efforts, Plaintiff has yet to effect service of the summons
9 and First Amended Complaint on Defendant Enrique Sosa, which service must be effected by
10 September 1, 2017 pursuant to Fed. R. Civ. P. 4(m). If Plaintiff cannot effect service by that
11 date he will take alternative action, such as requesting additional time and/or leave to effect
12 service by publication.

13 **NOW, THEREFORE**, the Parties, by and through their respective counsel, stipulate to
14 a continuance of the Mandatory Scheduling Conference currently set for August 31, 2017 to a
15 date at the Court's convenience on or after October 31, 2017. The Parties additionally stipulate
16 to a further extension of time for Defendants' responsive pleadings, such that the responsive
17 pleadings be filed on or before October 13, 2017.

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19 Dated: August 21, 2017

MISSION LAW FIRM, A.P.C.

20 /s/ Zachary M. Best

Zachary M. Best
Attorneys for Plaintiff,
Jose Acosta

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23 Dated: August 21, 2017

LAW OFFICE OF TOMÁS NÚÑEZ

24 /s/ Tomás Núñez

Tómas Núñez
Attorney for Defendants
Adriana Gabriela Gomez dba Zamora
Carnitas Mexican Restaurant and Humberto
Gomez dba Zamora Carnitas Mexican
Restaurant

ORDER

The parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that the time within which Defendants, Adriana Gabriela Gomez dba Zamora Carnitas Mexican Restaurant and Humberto Gomez dba Zamora Carnitas Mexican Restaurant, must file their responsive pleadings is extended to and including October 13, 2017. The Mandatory Scheduling Conference currently set for August 31, 2017 is continued to November 14, 2017 at 3:45 p.m. in Courtroom 9, before Magistrate Judge Stanley A. Boone. The parties are to file their Joint Scheduling Report no later than seven days prior to the conference.

IT IS SO ORDERED.

Dated: August 22, 2017



UNITED STATES MAGISTRATE JUDGE

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