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18 DHARAM PAL and VIJAY PAL

19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA

21 MARIO TOLLS, TANISHA WILEY,) CASE NO. 1:17-CV-00776-AWI-JLT
22 TANYA MORRISON, and ARISSA)
DICKSON TOLLS,)
23 Plaintiffs,) **JOINT APPLICATION AND**
24 vs.) **STIPULATION TO EXTEND TIME AND**
25 DHARAM PAL and VIJAY PAL,) **SET BRIEFING SCHEDULE FOR**
26 Defendants.) **DEFENDANTS' MOTION FOR PARTIAL**
) **SUMMARY JUDGMENT; [PROPOSED]**
) **ORDER**

1 Plaintiffs Mario Tolls, Tanisha Wiley, Tanya Morrison, and Arissa Dickson Tolls and
 2 Defendants Dharam Pal and Vijay Pal hereby apply for and stipulate to extend the deadline for
 3 plaintiffs' opposition to defendants' motion for partial summary judgment to Tuesday, October
 4 9, 2018, and the deadline for defendants' reply brief to Tuesday, October 16, 2018. In the
 5 alternative, the parties stipulate and request to extend the deadline for plaintiffs' opposition to
 6 Monday, October 8, 2018 (Columbus Day) only.

7 There is good cause to grant this request, as set forth below and in the declaration of
 8 plaintiffs' counsel, Liza Cristol-Deman, filed herewith.

9 First, it is by joint stipulation of the parties.

10 Second, plaintiffs' time for filing opposition briefing and supporting documentation is cut
 11 short by the Columbus Day holiday on Monday, October 8, 2018. Under Rule 6(a)(5) of the
 12 Federal Rules of Civil Procedure, the Columbus Day holiday moves back the deadline for
 13 plaintiffs' opposition by three days, to Friday, October 5, 2018. Given the importance of a
 14 dispositive motion, plaintiffs require the full notice period to brief the issues and compile
 15 relevant evidence.

16 Third, the parties propose two possible solutions. One possible schedule, Schedule 1,
 17 would continue the deadline for plaintiffs' opposition and defendants' reply by one day. If that
 18 schedule is unacceptable to the Court, Schedule 2 would allow plaintiffs to file their opposition
 19 on Columbus Day and keep defendants' deadline for their reply on Monday, October 15. The
 20 date for hearing defendants' motion need not change under either schedule. Both briefing
 21 schedules are set forth below:

	Schedule 1	Schedule 2
Defendants' motion (ECF 27) filed on September 10, 2018		
Opposition due:	Tuesday, October 9, 2018	Monday, October 8, 2018
Reply due:	Tuesday, October 16, 2018	Monday, October 15, 2018
Hearing	Monday, October 22, 2018	Monday, October 22, 2018

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This is the first extension of time for briefing related to this motion that either party has sought. The parties previously applied for, and the Court granted, brief extensions of time for discovery and expert disclosures. (ECF 23-24.)

A proposed order is lodged herewith.

Respectfully submitted,

Dated: October 4, 2018

BRANCART & BRANCART

By: /s/ Liza Cristol-Deman
Liza Cristol-Deman
Attorney for all Plaintiffs

Dated: October 4, 2018

GORDON REES SCULLY MANSUKHANI,
LLP

By: /s/ André M. Picciurro
(as authorized on October 4, 2018)
Attorneys for Defendants
DHARAM PAL AND VIJAY PAL

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PROPOSED ORDER

Based on the application and stipulation of the parties, and good cause appearing therefor, the Court hereby sets the following briefing schedule for Defendants' motion for partial summary judgment (ECF 27), filed on September 10, 2018:

Plaintiffs opposition and related documents shall be filed on October 9, 2018.

Defendants' reply shall be filed on October 16, 2018.

The hearing will take place as previously noticed on October 22, 2018.

IT IS SO ORDERED.

Dated: October 5, 2018



SENIOR DISTRICT JUDGE