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8 Attorneys for Plaintiff CLUB ONE CASINO, INC. and CLUB ONE CASINO, INC. as
successor in interest to CLUB ONE ACQUISITION CORP.
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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
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13 CLUB ONE CASINO, INC., a California
14 corporation, and CLUB ONE CASINO, INC.
as successor in interest to CLUB ONE
15 ACQUISITION CORP., a California
Corporation,
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Plaintiff,
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v.
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19 LOUIS SARANTOS, an individual, dba
CLOVIS 500 CLUB and 500 CLUB
20 CASINO, DUSTEN PERRY, an individual,
JOHN CARDOT, an individual, SHAWN
21 SARANTOS, an individual, JOSEPH F.
CAPPS, an individual, LODI
22 FRANCESCONI, an individual, and DOES 1-
24, 30-175, and 179-200 inclusive,
23

Defendants.
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Case No. 1:17-cv-00818-DAD-SAB

**STIPULATION AND ORDER TO
CONTINUE MANDATORY SCHEDULING
CONFERENCE**

25 Plaintiff Club One Casino, Inc. (“Club One”) and Club One Casino, Inc. as
26 successor in interest to Club One Acquisition Corp. (“COAC”, and together with Club One,
27 “Plaintiff”), on the one hand, and Defendant Louis Sarantos (“Defendant”), on the other hand,
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1 hereby stipulate by and through their counsel of record to continue the Mandatory Scheduling
2 Conference in this matter for 45 days, or as soon thereafter as the Court is available.

3 **RECITALS**

4 1. On August 27, 2015, Plaintiff filed a Complaint against George Sarantos
5 and Defendant Louis Sarantos in the Superior Court for the State of California, County of
6 Fresno, known as Case No. 15CECG02704. Plaintiff filed a First Amended Complaint in state
7 court on December 10, 2015, and dismissed George Sarantos from the case with prejudice on
8 September 6, 2016. Plaintiff filed a Second Amended Complaint in state court naming Dusten
9 Perry, John Cardot, Shawn Sarantos, Joseph F. Capps, and Lodi Francesconi as defendants (the
10 “Remaining Defendants”) and alleging claims for, among other things, violations of the
11 Racketeer Influenced and Corrupt Organizations Act.

12 2. Defendant removed this case to federal court on June 19, 2017, based on
13 federal question subject matter jurisdiction arising from Plaintiff’s Racketeer Influenced and
14 Corrupt Organizations Act claims [Docket Nos. 1-3]. At the time of removal, none of the
15 Remaining Defendants had been formally served with the operative Second Amended
16 Complaint or the state court summons.

17 3. On June 19, 2017, the Court set a Mandatory Scheduling Conference for
18 September 5, 2017, at 9:30 a.m. in Courtroom 9 of the above-captioned court [Docket No 4].
19 The Court’s Order Setting Mandatory Scheduling Conference provides that the Court is unable
20 to conduct a Scheduling Conference until all defendants have been served with the summons
21 and complaint.

22 4. Because none of the Remaining Defendants had been formally served
23 prior to removal, a new summons from this Court was required before Plaintiff could serve the
24 Remaining Defendants. Plaintiff accordingly filed a Motion for Issuance of Summons which is
25 set to be heard on August 15, 2017, at 9:30 a.m. in Courtroom 5 of the above-captioned court
26 [Docket Nos. 6-7].

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STIPULATION

Based upon the foregoing recitals, which are incorporated herein by this reference, Plaintiff and Defendant hereby agree and stipulate as follows:

A. Good cause exists to continue the Mandatory Scheduling Conference because the Court has not yet issued a summons and Plaintiff has therefore been unable to serve the Remaining Defendants. Additionally, the deadline for the parties to meet and confer regarding their Joint Scheduling Report is the same day that Plaintiff’s Motion for Issuance of Summons is set to be heard. In order to allow sufficient time for issuance of a summons, for Plaintiff to effect service on the Remaining Defendants, and to conserve the parties’ and the Court’s resources, Plaintiff and Defendant hereby stipulate to continue the Mandatory Scheduling Conference for 45 days or as soon thereafter as the Court is available.

SO STIPULATED AND AGREED.

Dated: August 14, 2017

DOWLING AARON INCORPORATED

By: /s/ Sydney A. Smith
Steven D. McGee
Stephanie Hamilton Borchers
Sydney A. Smith
Attorneys for Plaintiff
CLUB ONE CASINO, INC. and
CLUB ONE CASINO, INC.
as successor in interest to
CLUB ONE ACQUISITION CORP.

Dated: August 14, 2017

BETTS & RUBIN

By: /s/ James B. Betts
James B. Betts
Joseph D. Rubin
Attorneys for Defendant
LOUIS SARANTOS

