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5	Attorney for Plaintiff,		
6	Jose Acosta		
7			
8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
10			
11	JOSE ACOSTA,	No. 1:17-cv-1533-DAD-SKO	
12	Plaintiff,	PLAINTIFF'S REQUEST TO CONTINUE	
13	vs.	MANDATORY SCHEDULING CONFERENCE; ORDER	
14	JUAN DAMIAN dba EL PARIAN	(Doc. 22)	
15	GROCERY MART, et al.,		
16	Defendants.	Current MSC Date: May 8, 2018 Time: 10:30 a.m.	
17		Courtroom: 7	
18		Magistrate Judge Sheila K. Oberto	
19			
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 May 8, 2018 at 10:30 a.m. for the reasons set forth below.		
23	1. Plaintiff has reached a settlement with defendant Juan Damian dba El Parian		
24	Grocery Mart ("Damian"), and Damian was dismissed from the action on March 23, 2018		
25	(Dkt. 18).		
26	2. Clerk's defaults were entered against defendants Ali Sadik ("Sadik") and John		
27	Kojigian, Jr. ("Kojigian") on March 16, 2018 (I	Okt. 14 and 15).	
28			
	PLAINTIFF'S REQUEST TO CONTINUE MANDATORY SCHEDULING CONFERENCE; ORDER		
	Page 1		

1	3. Plaintiff's counsel has been in contact with counsel for Kojigian, and Plaintiff	
2	and Kojigian stipulated to set aside Kojigian's default on March 22, 2018 (Dkt. 17). Pursuant	
3	to the Order granting that stipulation, Kojigian's responsive pleading was to be filed by April	
4	14, 2018 (Dkt. 19).	
5	4. While Kojigian has not timely filed a responsive pleading, Plaintiff and	
6	Kojigian are discussing resolution of Plaintiff's claims against Kojigian and Plaintiff believes	
7	that a resolution is imminent. For that reason, Plaintiff has not again requested entry of	
8	Kojigian's default.	
9	5. Once Plaintiff's claims against Kojigian have been resolved, Plaintiff will	
10	proceed with a motion for default judgment against Sadik on his remaining claims.	
11	For the reasons set forth above, Plaintiff respectfully requests that the Mandatory	
12	Scheduling Conference currently set for May 8, 2018 be continued to a date after June 20,	
13	2018, to be vacated if Plaintiff files a motion for default judgment in the intervening time.	
14		
15	Dated: May 1, 2018 MISSION LAW FIRM, A.P.C.	
16		
17	/s/ Zachary M. Best Zachary M. Best	
18	Attorney for Plaintiff,	
	Lose Acosta	
19	Jose Acosta	
19 20	Jose Acosta ORDER	
20	<u>ORDER</u>	
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