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

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11 JOSE ACOSTA,)
12 Plaintiff,)
13 vs.)
14 KYLE WILKINS dba POKI BOWL)
EXPRESS, et al.,)
15)
16 Defendants.)
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No. 1:17-cv-01666-DAD-SKO
**STIPULATION TO SET ASIDE
DEFAULT; ORDER**
(Doc. 15)

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STIPULATION TO SET ASIDE DEFAULT; ORDER

1 It is hereby stipulated by and between Plaintiff, Jose Acosta (“Plaintiff”), and
2 Defendant, Kyle Wilkins dba Poki Bowl Express (“Defendant,” and together with Plaintiff,
3 “the Parties”), by and through their attorneys, that the Clerk’s Default against Defendants (Dkt.
4 10) be and is hereby set aside so that the matter may proceed on its merits, and that an answer
5 on behalf of Defendant shall be filed within ten (10) days of the entry of the order setting aside
6 the default.

7 Good cause exists because the Parties desire for the case to be heard on its merits.

8 **IT IS SO STIPULATED.**

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10 Dated: March 20, 2018

MISSION LAW FIRM, A.P.C.

11 /s/ Zachary M. Best

12 Zachary M. Best
13 Attorney for Plaintiff,
Jose Acosta

14 Dated: March 20, 2018

LAW OFFICE OF LANCE E. ARMO

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16 /s/ Lance E. Armo

17 Lance E. Armo
18 Attorney for Defendant,
Kyle Wilkins dba Poki Bowl Express

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STIPULATION TO SET ASIDE DEFAULT; ORDER

ORDER

Pursuant to the parties' above-stipulation to set aside the default entered by the Clerk of the Court on February 27, 2018, against Defendant Kyle Wilkins dba Poki Bowl Express, et al. ("Defendant") (Doc. 10), the Court hereby ORDERS that the Clerk's entry of default be set aside.

The Court FURTHER ORDERS, based on the parties' stipulation, that Defendant shall file a response to the complaint within 10 days of the date of this Order.

The Scheduling Conference remains set for May 10, 2018, at 10:15 a.m. in Courtroom 7, before the undersigned. The parties shall file a Joint Scheduling Report by no later than May 3, 2018.

IT IS SO ORDERED.

Dated: March 22, 2018

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE