

1 **WANGER JONES HELSLEY PC**
2 265 E. River Park Circle, Suite 310
3 Fresno, California 93720
4 Telephone: (559) 233-4800
5 Facsimile: (559) 233-9330

6 Michael S. Helsley #199103
7 Micaela L. Neal #287107
8 Erin T. Huntington #306037

9 Attorneys for: Plaintiff RUIZ FOOD PRODUCTS, INC.

10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12 RUIZ FOOD PRODUCTS, INC., a
13 California Corporation

14 Plaintiff,

15 v.

16 RUSSELL MEIGS, an individual, AMY
17 LOEWUS, an individual, INDUSTRIAL
18 BAKERY TECHNICAL SERVICE, LLC, a
19 Colorado Corporation, and DOES 1 through
20 10, inclusive,

21 Defendants.

Case No. 1:18-CV-00317-DAD-EPG

**STIPULATION AND ORDER FOR
SECOND EXTENSION OF TIME FOR
DEFENDANTS TO ANSWER FIRST
AMENDED COMPLAINT**

Complaint Filed: March 5, 2018
First Amended Complaint Filed: March
26, 2018

1 The following stipulation is entered into by and between plaintiff RUIZ FOOD
2 PRODUCTS, INC., a California corporation (“Plaintiff”), on the one hand, and defendants
3 RUSSELL MEIGS, an individual, AMY LOEWUS, an individual, and INDUSTRIAL
4 BAKERY TECHNICAL SERVICE, LLC, a Colorado corporation (collectively,
5 “Defendants”), on the other hand, by and through their respective counsel of record:

6 WHEREAS, Plaintiff filed its Complaint (Dkt. 1) in this action on March 5, 2018;

7 WHEREAS, the Court issued an Order to Show Cause Why Action Should Not be
8 Dismissed for Lack of Subject Matter Jurisdiction (Dkt. 7) on March 13, 2018, directing
9 Plaintiff to indicate the identity and citizenship of each of defendant INDUSTRIAL BAKERY
10 TECHNICAL SERVICE, LLC’s members;

11 WHEREAS, in response to the Court’s Order to Show Cause, Plaintiff filed its First
12 Amended Complaint (Dkt. 10) on March 26, 2018;

13 WHEREAS, the original deadline for Defendants to respond to Plaintiff’s First
14 Amended Complaint was is April 9, 2018;

15 WHEREAS, Plaintiff agreed to provide Defendants an extension of time until April 23,
16 2018 to file their responsive pleading to Plaintiff’s First Amended Complaint (Dkt. 11);

17 WHEREAS, the parties have been engaged in settlement discussions, and require a
18 short extension for Defendants to file a responsive pleading to continue to try and reach a
19 resolution;

20 WHEREAS, Plaintiff has agreed to provide Defendants a second extension of time until
21 May 7, 2018 to file their responsive pleading to Plaintiff’s First Amended Complaint (Dkt. 10);

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 NOW, THEREFORE, pursuant to Local Rule 144, IT IS HEREBY STIPULATED by
2 the parties that the date for Defendants RUSSELL MEIGS, AMY LOEWUS, and
3 INDUSTRIAL BAKERY TECHNICAL SERVICE, LLC to answer or otherwise respond to
4 Plaintiff's First Amended Complaint (Dkt. 10) shall be extended through and include May 7,
5 2018.

6
7 DATED: April 19, 2018

KLEIN, DENATALE, GOLDNER, COOPER,
ROSENLIEB & KIMBALL, LLP

8
9 By: /s/ R. Jeffrey Warren
10 R. JEFFREY WARREN
11 Attorneys for Defendants RUSSELL MEIGS,
AMY LOEWUS, and INDUSTRIAL
BAKERY TECHNICAL SERVICE, LLC

12 DATED: April 19, 2018

WANGER JONES HELSLEY PC

13
14 By: /s/ Michael S. Helsley
15 Michael S. Helsley
16 Micaela L. Neal
17 Erin T. Huntington
18 Attorneys for Plaintiff RUIZ FOODS
19 PRODUCTS, INC.
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

The Court having reviewed the foregoing Stipulation and good cause appearing therefore:

IT IS HEREBY ORDERED that Defendants are granted a second extension to file their response to the First Amended Complaint. Defendants' responsive pleading shall be filed by no later than May 7, 2018.

IT IS SO ORDERED.

Dated: April 20, 2018

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE