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9 Attorneys for: Plaintiff RUIZ FOOD PRODUCTS, INC.

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

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

15 Plaintiff,

16 v.

17 RUSSELL MEIGS, an individual, AMY
18 LOEWUS, an individual, INDUSTRIAL
19 BAKERY TECHNICAL SERVICE, LLC, a
20 Colorado Corporation, and DOES 1 through
21 10, inclusive,

22 Defendants.

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

**STIPULATION AND ORDER FOR
THIRD AND FINAL 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 on April 20,
18 2018, this Court granted Defendants a second extension of time until May 7, 2018 to file their
19 responsive pleading to Plaintiff’s First Amended Complaint (Dkt. 13);

20 WHEREAS, the parties have exchanged proposed settlement documents, which would
21 fully resolve the case, and are reviewing said documents with their respective clients, revising
22 said documents, and anticipate reaching a resolution within the next two weeks;

23 WHEREAS, in order to allow the parties to reach the anticipated resolution, the parties
24 respectfully request from this Court one final extension until May 21, 2018, to allow
25 Defendants file their responsive pleading to Plaintiff’s First Amended Complaint.

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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 one final time through and
5 include May 21, 2018.

6
7 DATED: May 2, 2018

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

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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: May 2, 2018

WANGER JONES HELSLEY PC

13 By: /s/ Michael S. Helsley
14 Michael S. Helsley
15 Micaela L. Neal
16 Erin T. Huntington
17 Attorneys for Plaintiff RUIZ FOODS
18 PRODUCTS, INC.
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ORDER

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

IT IS HEREBY ORDERED that Defendants are granted a third and final extension to file their response to the First Amended Complaint. Defendants' responsive pleading shall be filed by no later than May 21, 2018.

IT IS SO ORDERED.

Dated: May 3, 2018

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE

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