

1 PAUL L. REIN, Esq. (SBN 43053)
2 AARON M. CLEFTON, Esq. (SBN 318680)
3 REIN & CLEFTON, Attorneys at Law
4 200 Lakeside Drive, Suite A
5 Oakland, CA 94612
6 Telephone: 510/832-5001
7 Facsimile: 510/832-4787
8 info@reinleftonlaw.com

9
10 Attorneys for Plaintiffs
11 JOHN DALTON and KATHERINE DALTON

12 Philip H. Stillman, Esq. SBN# 152861
13 STILLMAN & ASSOCIATES
14 3015 North Bay Road, Suite B
15 Miami Beach, Florida 33140
16 Tel. and Fax: (888) 235-4279
17 pstillman@stillmanassociates.com

18 Attorneys for defendant
19 HOME AWAY INC.

20
21 UNITED STATES DISTRICT COURT
22 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

23 JOHN DALTON and KATHERINE
24 DALTON,

25 Plaintiffs,

26 v.

27 HOME AWAY INC.

28 Defendant.

Case No. 1:21-cv-01722-AWI-HBK

Civil Rights

**STIPULATION AND [PROPOSED] TO
CONTINUE DEADLINE TO
DEFENDANT TO RESPOND TO
SECOND AMENDED COMPLAINT**

29
30 **STIPULATION**

31 Plaintiffs JOHN DALTON and KATHERINE DALTON (“Plaintiffs”) and Defendant
32 HOME AWAY INC. (“Defendant”) (collectively, “the Parties”) hereby stipulate and request that
33 the Court continue the deadline for Defendant to respond to Plaintiff’s Second Amended
34 Complaint and set the proposed briefing schedule for any Motion to Dismiss. This request is
35 based on the following good cause:

36 1. Plaintiffs filed their Second Amended Complaint on October 26, 2022. Dkt. No.
37 24.

2. The deadline for Defendant to respond to Plaintiff's Second Amended Complaint is November 16, 2022.
3. Plaintiffs' counsel is dealing with an ongoing family medical emergency which will require significant time away from the office in the coming weeks. The situation calls for surgical decisions, long term care, and potentially hospice for a family member. Additionally, the approaching holidays make scheduling difficult.
4. The Parties jointly stipulate and request that the Court continue the deadline for Defendant to respond to the Second Amended Complaint and set the following briefing schedule for any Motion to Dismiss.
 - a. Deadline for Defendant to file a response to the Complaint: January 4, 2023.
 - b. Deadline for Plaintiffs to file an Opposition to any Motion to Dismiss: January 17, 2023.
 - c. Deadline for Defendant to file a Reply to Plaintiff's Opposition to Motion to Dismiss: January 24, 2023

IT IS SO STIPULATED.

Dated: November 14, 2022

REIN & CLEFTON

/s/ Aaron M. Clefton
By: AARON M. CLEFTON, ESQ.
Attorneys for Plaintiff
JOHN DALTON and KATHERINE DALTON

Dated November 14, 2022

STILLMAN AND ASSOCIATES

/s/ Philip H. Stillman
By: PHILIP H. STILLMAN, ESQ.
Attorneys for Defendant
HOME AWAY, INC.

1

2 **[PROPOSED] ORDER**

3 For GOOD CAUSE SHOWN, it is so ORDERED. The deadline for Defendant to respond
4 to the Second Amended Complaint is continued to the January 4, 2023, and the briefing schedule
5 for any motion to dismiss is set as follows:

6 a. Deadline for Plaintiffs to file an Opposition to any Motion to Dismiss: January 17,
7 2023.

8 b. Deadline for Defendant to file a Reply to Plaintiff's Opposition to Motion to
9 Dismiss: January 24, 2023.

10 IT IS SO ORDERED.

11 Dated: November 16, 2022



SENIOR DISTRICT JUDGE

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