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10 Attorneys for defendant
11 HOME AWAY INC.

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

14 JOHN DALTON and KATHERINE
15 DALTON,

16 Plaintiffs,

17 v.

18 HOME AWAY INC.

19 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**

20 **STIPULATION**

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

- 26 1. Plaintiffs filed their Second Amended Complaint on October 26, 2022. Dkt. No.
27 24.
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- 1 2. The deadline for Defendant to respond to Plaintiff's Second Amended Complaint is
2 November 16, 2022.
- 3 3. Plaintiffs' counsel is dealing with an ongoing family medical emergency which will
4 require significant time away from the office in the coming weeks. The situation
5 calls for surgical decisions, long term care, and potentially hospice for a family
6 member. Additionally, the approaching holidays make scheduling difficult.
- 7 4. The Parties jointly stipulate and request that the Court continue the deadline for
8 Defendant to respond to the Second Amended Complaint and set the following
9 briefing schedule for any Motion to Dismiss.
- 10 a. Deadline for Defendant to file a response to the Complaint: January 4,
11 2023.
- 12 b. Deadline for Plaintiffs to file an Opposition to any Motion to Dismiss:
13 January 17, 2023.
- 14 c. Deadline for Defendant to file a Reply to Plaintiff's Opposition to Motion
15 to Dismiss: January 24, 2023

16 **IT IS SO STIPULATED.**

17
18 Dated: November 14, 2022

REIN & CLEFTON

19
20 /s/ Aaron M. Clefton
21 By: AARON M. CLEFTON, ESQ.
22 Attorneys for Plaintiff
 JOHN DALTON and KATHERINE DALTON

23 Dated November 14, 2022

STILLMAN AND ASSOCIATES

24
25 /s/ Philip H. Stillman
26 By: PHILIP H. STILLMAN, ESQ.
27 Attorneys for Defendant
28 HOME AWAY, INC.

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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

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13 SENIOR DISTRICT JUDGE
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