

1 Tanya E. Moore, SBN 206683
2 MOORE LAW FIRM, P.C.
3 300 South First Street, Suite 342
4 San Jose, California 95113
5 Telephone: (408) 298-2000
6 Facsimile: (408) 298-6046
7 Email: service@moorelawfirm.com

5 Attorney for Plaintiff,
6 Darren Gilbert
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9 **UNITED STATES DISTRICT COURT**
10
11 **EASTERN DISTRICT OF CALIFORNIA**

12 DARREN GILBERT,) No. 1:22-cv-01305-BAM
13 Plaintiff,)
14 vs.)
15 OAKDALE SHOPPING CENTER L.L.C., et al.;)
16 Defendants.)
17 _____)

18
19 **WHEREAS**, a Mandatory Scheduling Conference in this matter is set for January 24,
20 2023 (Dkt. 3);

21 **WHEREAS**, Plaintiff Darren Gilbert (“Plaintiff”) has been unable to serve defendant
22 Oakdale Shopping Center L.L.C. with the Summons and Complaint despite diligent efforts and
23 has requested a 60-day extension of time to complete service (Dkt. 16), and is continuing
24 diligent efforts to serve the defendant;

25 **WHEREAS**, because Defendant Oakdale Shopping Center L.L.C. has not been served
26 nor appeared in the action, the parties have not had the opportunity to complete the Rule 26
27 conference between counsel;

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STIPULATION FOR CONTINUANCE OF MANDATORY SCHEDULING CONFERENCE;
PROPOSED ORDER

1 **NOW, THEREFORE**, it is hereby stipulated by and between Plaintiff and Defendants,
2 Monica Diane Willey dba Gold Dust Pizza and Best Deal Food Company, Inc. dba Cost Less
3 Food Company, the parties who have appeared in this action, by and through their counsel of
4 record, that the Mandatory Scheduling Conference set for January 24, 2023 be continued to a
5 date on or after March 24, 2023, at the Court's convenience.

6 **IT IS SO STIPULATED.**

7 Dated: January 17, 2023

8 MOORE LAW FIRM, P.C.

9 */s/ Tanya E. Moore*

10 Tanya E. Moore
11 Attorney for Plaintiff,
12 Darren Gilbert

13 Dated: January 17, 2023

14 GIANELLI | NIELSEN, APLC

15 */s/ Eric T. Nielsen*

16 Eric T. Nielsen
17 Attorneys for Defendant,
18 Monica Diane Willey dba Gold Dust Pizza

19 Dated: January 17, 2023

20 FISHER & PHILLIPS LLP

21 */s/ Evan E. Kroll*

22 Nathan V. Okelberry
23 Evan E. Kroll
24 Attorneys for Defendant,
25 Best Deal Food Company, Inc.

26 STIPULATION FOR CONTINUANCE OF MANDATORY SCHEDULING CONFERENCE;
27 ~~PROPOSED~~ ORDER

ORDER

The Parties having so stipulated and good cause appearing, it is ordered as follows:

1. The Mandatory Scheduling Conference currently scheduled for January 24, 2023 is continued to **April 6, 2023 at 9:00 AM in Courtroom 8 (BAM) before United States Magistrate Judge Barbara A. McAuliffe.**

2. The parties shall file a joint scheduling report seven days prior to the conference.

IT IS SO ORDERED.

Dated: **January 18, 2023**

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE