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Attorneys for Plaintiff Byron Chapman

14 UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA

17 BYRON CHAPMAN,
 18 Plaintiff,
 19 v.
 20 PIER 1 IMPORTS (U.S.), INC.,
 21 Defendant.

Case No. 2:04-cv-01339-LKK-DAD

**STIPULATION TO AMEND THE
 SCHEDULING ORDER TO
 CONTINUE THE TRIAL, PRE-TRIAL
 CONFERENCE, PRE-TRIAL
 STATEMENTS DEADLINE, AND ALL
 ACCOMPANYING PRE-TRIAL
 DEADLINES; ORDER THEREON**

1 Plaintiff Byron Chapman and Defendant Pier 1 Imports (U.S.) Inc., dba Pier 1 Imports
2 #1132 (the “Parties”) enter into the following stipulation:

3 WHEREAS, trial is currently set for December 4, 2012 at 10:30 a.m.;

4 WHEREAS, a Pre-Trial Conference is set for September 4, 2012 at 1:30 p.m.;

5 WHEREAS, Joint Statements of Undisputed and Disputed Facts are due to be filed by
6 August 21, 2012;

7 WHEREAS, the Parties previously filed Pre-Trial Statements on or about June 4, 2012,
8 but have the option of filing new Pre-Trial Statements no later than, respectively, August 21,
9 2012 (Plaintiff) and August 28, 2012 (Defendant);

10 WHEREAS, on August 20, 2012, Defendant Pier 1 Imports (U.S.), Inc. substituted its
11 counsel in this matter and is now represented by a new law firm, Seyfarth Shaw, LLP
12 (“Seyfarth”);

13 WHEREAS, Seyfarth was retained on August 17, 2012 and is awaiting receipt of the case
14 files from Defendant’s prior counsel;

15 WHEREAS, this case, filed in 2004, has an extensive history with more than 200 docket
16 entries;

17 WHEREAS, the attorneys at Seyfarth need time to familiarize themselves with the case so
18 as to prepare for trial, to meet and confer with Plaintiff in an effort to narrow issues and facilitate
19 efficiency at trial, and/or explore the possibility of resolving this matter without a trial;

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1 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
2 Parties that the trial, Pre-Trial Conference, Pre-Trial Statements Deadline and all pre-trial dates in
3 this matter be continued for at least sixty (60) days, or until a date more convenient to the Court.

4 Dated: August 21, 2012

DISABLED ADVOCACY GROUP, APLC

6 By: _____/s/
7 Scottlynn J. Hubbard IV
8 Attorneys for Plaintiff
(original signature retained by attorney
Eden Anderson)

9 Dated: August 21, 2012


SEYFARTH SHAW LLP

11 By: _____/s/
12 Eden Anderson

13 **ORDER**

14 IT IS HEREBY ORDERED that the Parties' Stipulation to Amend the Scheduling Order
15 to Continue the Trial, Pre-Trial Conference, Pre-Trial Statements Deadline, and all accompanying
16 Pre-Trial deadlines is **DENIED**. Defendant has appealed the court's permanent injunction.
17 Accordingly, all pending dates are **VACATED** pending resolution of the appeal.

18 Dated: August 28, 2012.

21 
22 LAWRENCE K. KARLTON
23 SENIOR JUDGE
UNITED STATES DISTRICT COURT