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5 Attorneys for Plaintiff Sean Moorman

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 7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 SEAN MOORMAN,	)	Case No. 2:07-CV-01999-LEW-EFB
	)	
11 Plaintiff,	)	<b>STIPULATION AND ORDER</b>
	)	<b>REGARDING EXTENSION OF TIME TO</b>
12 v.	)	<b>FILE JOINT STATUS REPORT</b>
	)	
13 SPENCER GIFTS LLC, a Delaware limited	)	
liability company, ZION ROOTSWEAR, L.C.,	)	
14 a Florida limited liability company,	)	
	)	
15 Defendants.	)	
	)	

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 17 The Court’s Order Requiring Joint Status Report, dated September 25, 2007, orders the  
 18 parties to file a joint status report “[w]ithin sixty (60) days of service of the complaint on any party.”  
 19 Because Defendant Spencer Gifts LLC waived service in this case, and because Plaintiff Sean  
 20 Moorman filed the waiver on December 8, 2007, the joint status report in this case is due on February  
 21 6, 2008.<sup>1</sup>

22 Good cause exists for the Court to grant an extension of time for the parties to submit  
 23 the joint status report. On January 22, 2008, Plaintiff amended his complaint to name an additional  
 24 defendant, Zion Rootswear LC. Service on that new defendant has yet to be completed. Moreover,  
 25 Spencer Gifts LLC has yet to answer. Under these circumstances, the parties request a 30-day  
 26 extension of time to submit a joint status report.

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 28 <sup>1</sup> Under Federal Rule of Civil Procedure 4(d)(4), the date on which the plaintiff files the waiver of service serves as the date on which the complaint was served.

1 Based upon the stipulation of counsel on the record before the Court, IT IS HEREBY  
2 ORDERED as follows: The parties shall have up to and including March 7, 2008 to submit the joint  
3 status report.

4 **IT IS SO STIPULATED.**

5 Dated: February 4, 2008

MENNEMEIER, GLASSMAN & STROUD LLP  
ANDREW W. STROUD  
STEPHEN LAU

8 By: /s/ Stephen Lau  
9 Stephen Lau  
10 Attorneys for Plaintiff Sean Moorman

11 Dated: February 4, 2008

ECKERT SEAMANS CHERIN & MELLOTT, LLC  
ROBERTA JACOBS-MEADWAY

14 By: /s/ Roberta Jacobs-Meadway  
15 Roberta Jacobs-Meadway  
16 Attorneys for Defendant Spencer Gifts LLC

17 **IT IS SO ORDERED.**

18  
19 DATED: 2/5/2008

20 /s/ Ronald S. W. Lew

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U.S. District Judge  
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