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6 Attorney for Plaintiffs  
 7 MRW, INC., a California corporation and  
 8 500 LUTHER ROAD, LLC, a California  
 9 limited liability company

10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA

12 MRW, INC., a California corporation; and 500  
 13 LUTHER ROAD, LLC, a California limited  
 14 liability company,

15 Plaintiffs,

16 vs.

17 BIG-O TIRES, LLC, a Nevada limited liability  
 18 company; CIT SMALL BUSINESS  
 19 LENDING CORPORATION, a Delaware  
 20 corporation; and DOES 1-50, inclusive,

21 Defendants.

Case No.: 2:08-cv-01732-LKK-DAD

STIPULATION TO CONTINUE THE  
 HEARING ON DEFENDANT CIT'S  
 MOTION TO DISMISS

[Local Rule 78-230]

Complaint Filed: July 27, 2008

1 Pursuant to Eastern District Local Rule 78-230, Plaintiffs MRW, Inc. and 500 Luther  
2 Road, LLC and Defendant CIT Small Business Lending Corporation, by and through their  
3 counsel, hereby stipulate that the hearing on Defendant's motion to dismiss shall be continued  
4 from Monday, February 9, 2009 10:00am to Monday, February 23, 2009 at 10:00am.

5 The parties seek the Court's approval of this continuance in accordance with Rule 78-  
6 230.

7  
8 Dated: January 14, 2009

LAW OFFICES OF OLIVER R. GUTIERREZ

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10 By: /s/ OLIVER R. GUTIERREZ  
11 OLIVER R. GUTIERREZ  
12 Attorney for Plaintiffs MRW, INC., a California  
13 corporation and 500 LUTHER ROAD, LLC, a  
14 California limited liability company

15 Dated: January 14, 2009

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

16 By: /s/ SCOTT B. LIEBERMAN  
17 SCOTT B. LIEBERMAN  
18 Attorneys for Defendant  
19 CIT SMALL BUSINESS LENDING  
20 CORPORATION  
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1 **ORDER**

2 Based on the foregoing stipulation, it is hereby ordered that:

3 1. The hearing on Defendant CIT's motion to dismiss shall be continued from  
4 Monday, February 9, 2009 at 10:00am to Monday, February 23, 2009 at 10:00am.

5 IT IS SO ORDERED.

6  
7 DATED: January 16, 2009

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10 LAWRENCE K. KARLTON  
11 SENIOR JUDGE  
12 UNITED STATES DISTRICT COURT  
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