```
John S. Knowlton, Esq. (SBN 143517)
   Barry W. Pruett, Esq. (SBN 254986)
   THE SHAFER LAW GROUP
   210 Magnolia Ave.
 3
   Auburn, CA 95603
    (530) 885-6695 Ph.
 4
    (530) 885-7122 Fax
    Email:
            jknowlton@shaferlawgroup.com
5
            bpruett@shaferlawgroup.com
 6
   Attorneys for Defendant WKSJ Enterprises, Inc.,
7
    Individually and dba Schultz Tire Factory
 8
 9
                       UNITED STATES DISTRICT COURT
10
                      EASTERN DISTRICT OF CALIFORNIA
11
12
                                                  2:08-CV-02048-MCE-GGH
    Scott N. Johnson,
                                       Case No.
13
14
   Plaintiff,
15
   vs.
16
                                       ORDER SETTING ASIDE DEFAULT
                                       PURSUANT TO STIPULATION
   WKSJ Enterprises, Inc.,
17
    Individually and dba Schultz
                                       TRIAL DATE: August 16, 2010
   Tire Factory; William K.
18
    Schultz, Jr.; Joyce R. Schultz,
19
20
   Defendants.
22
23
24
         WHEREAS Plaintiff, Scott Johnson, has filed a Proof of
25
    Service of Plaintiff's Complaint on William K. Schultz, Jr., an
26
    individual, as well as upon Joyce R. Schultz, an individual, and
27
28
              STIPULATION TO SET ASIDE DEFAULT AND PROPOSED ORDER THEREON
```

1 WHEREAS, Plaintiff Scott Johnson requested that a default 2 be entered against William K. Schultz, Jr. and Joyce R. Schultz, 3 and 4 WHEREAS, on or about March 18, 2009, the United States 5 District Court for the Eastern District of California in the 6 7 above-entitled matter ordered the default of William K. Schultz, 8 Jr. and Joyce R. Schultz entered, and 9 WHEREAS, Plaintiff and counsel for William K. Schultz, Jr. 10 and Joyce R. Schultz have agreed that, in the interests of 11 justice, and in order to determine the matter on its merits, 12 13 good cause exists to allow the defaults entered against William 14 K. Schultz, Jr. and Joyce R. Schultz should be set aside, and 15 WHEREAS, the parties have agreed that in exchange for 16 setting the defaults aside, William K. Schultz, Jr. and Joyce R. 17 Schultz shall be allowed to file an Answer to Plaintiff's 18 19 Complaint within ten (10) days of the Court's approval of this 20 Request for Order Setting Aside Default; 21 /// 22 /// 23 /// 24 25 /// 26 /// 27 28

STIPULATION TO SET ASIDE DEFAULT AND PROPOSED ORDER THEREON

IT IS HEREBY ORDERED THAT, pursuant to said stipulation, and good causing appearing therefor, the March 18, 2009 default against Defendants William K. Schultz, Jr. and Joyce R. Schultz is set aside and said Defendants may file an answer to Plaintiff's Complaint not later than ten (10) days following the date of this Order.

IT IS SO ORDERED.

DATED: April 10, 2009

MORRISON C. ENGLAND, JR UNITED STATES DISTRICT JUDG