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5 Attorneys for Defendants  
 HYNES AVIATION INDUSTRIES,  
 6 INC. dba HYNES AVIATION  
 SERVICES, an Oklahoma corporation;  
 7 HYNES CHILDREN TF LIMITED, a business entity,  
 form unknown; and MICHAEL K. HYNES, an  
 8 individual.

10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA

13 SACRAMENTO E.D.M., INC., a California  
 corporation; DAN FOLK, an individual,

14 Plaintiffs,

15 v.

16 HYNES AVIATION INDUSTRIES, INC.  
 17 dba HYNES AVIATION SERVICES, an  
 Oklahoma corporation; HYNES  
 18 CHILDREN TF LIMITED, a business  
 entity, form unknown; MICHAEL K.  
 19 HYNES, an individual; and DOES 1  
 through 50, inclusive,

20 Defendants.

Case No. 2:13-CV-00288-MCE-KJN

**STIPULATION AND ORDER TO CHANGE  
 DATE OF HEARING ON DEFENDANTS'  
 RULE 12(b)(6) MOTION TO DISMISS**

Date: June 13, 2013  
 Time: 2:00 p.m.  
 Dept: 7

22 **TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 The parties hereby agree and stipulate through their counsel of record that the  
 24 hearing on defendants' motion to dismiss currently set for hearing on June 13, 2013 be moved  
 25 fourteen days to June 27, 2013. The parties further stipulate and agree the briefing deadlines will  
 26 be extended fourteen days commensurate with the new hearing date and applicable Federal Rules  
 27 of Civil Procedure.

28 In recent communication between counsel it was commentated and suggested the

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 ATTORNEYS AT LAW  
 SACRAMENTO, CALIFORNIA

1 hearing date might need to be changed due to personal matters involving defendant counsel which  
2 arose after the hearing date of June 13, 2013 was set. As a result and relying on this  
3 communication counsel for plaintiff has had insufficient opportunity to properly research and  
4 prepare opposition to the pending matter. Accordingly the parties stipulate to a continuance of  
5 the motion and relevant briefing dates for two weeks or as otherwise convenient to the court.

6 Dated: May 30, 2013.

7 Respectfully submitted, BARTH TOZER & DALY LLP

8  
9 By \_\_\_\_\_ /s/  
10 PAUL W. TOZER  
11 Attorneys for HYNES AVIATION INDUSTRIES, INC.

12 THE LAW OFFICE OF BOWMAN & ASSOCIATES

13 Dated: May 29, 2013.


14 By \_\_\_\_\_ /s/  
15 SEAN GAVIN  
16 Attorneys for SACRAMENTO E.D.M., INC. AND DAN  
17 FOLK

18 **ORDER**

19 Good cause showing and the parties having stipulated to moving hearing date and  
20 date for opposition to motion the hearing date is moved to June 27, 2013. Plaintiffs' opposition  
21 shall be filed on or before June 13, 2013. A reply, if any, is due not later than 7 days before the  
22 June 27, 2013 hearing date.

23 **IT IS SO ORDERED.**

24 DATED: June 5, 2013

25   
26 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
27 UNITED STATES DISTRICT COURT  
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