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17 Attorneys for Defendant Vinh Phat Supermarket, Inc.

18 UNITED STATES DISTRICT COURT  
 19 EASTERN DISTRICT OF CALIFORNIA

20 Jeanette Hoang, Yun Wu, Guang Gu Xiang, CASE NO. 2:13-cv-00724-WBS-EFB  
 21 Mengting Fanny Kuo, Gia Nham Thanh,  
 Edmond Cau Van, Gao Zhi Wei, Danny  
 22 Hung Leung, Ye-gui Bu, and Cooc Man  
 Coong,

**JOINT REQUEST TO CONTINUE STATUS  
 (PRE-TRIAL SCHEDULING)  
 CONFERENCE AND PROPOSED ORDER**

23 Plaintiffs,  
 24 vs.

25 Vinh Phat Supermarket, Inc., a California  
 Corporation; Sau V. Vong, as an Individual;  
 Cam Ly, as an Individual; Suyendo Plaskett,  
 26 as an Individual; and Does 1 to 100,  
 Inclusive,

Date: July 22, 2013  
 Time: 2:00 p.m.  
 Courtroom: 5  
 Judge: Hon. William J. Shubb

27 Defendants.  
 28 \_\_\_\_\_/

1 The Court has set a status (pre-trial scheduling) conference in this matter for July  
2 22, 2013, to address discovery cut-offs and similar issues.

3 Defendant Vinh Phat Supermarket, Inc. (Vinh Phat) has filed a motion to dismiss  
4 that is scheduled for hearing on July 15, 2013. When this motion is resolved, Vinh Phat  
5 will file a counter-claim raising additional legal issues along with its answer.

6 Individual defendants Vong, Ly and Plaskett (Defendants) have filed a motion to  
7 dismiss and for joinder of an additional party defendant that is set for hearing on July 29,  
8 2013. Depending upon the Court's ruling, Defendants may file a third party complaint or  
9 counter-claim adding a party and raising additional legal issues when they answer.

10 In short, neither the legal issues nor the identities of all defendants are yet settled.  
11 The parties do not believe meaningful scheduling can take place until these matters are  
12 resolved. At least one new party (and that party's counsel) would not be represented at the  
13 conference, creating the possibility that any schedule set by the Court might require  
14 modification in the near future.

15 The parties therefore jointly request that the Court continue the status (pre-trial  
16 scheduling) conference to permit clarification of the legal issues and addition of new  
17 parties. Counsel has obtained dates from the Court's clerk; September 3, 2013, is  
18 available for all current counsel.

19 Dated: June 24, 2013

Respectfully Submitted,

**SEGAL & KIRBY LLP**

21 By: /s/ James R. Kirby II  
22 JAMES R. KIRBY II  
23 Attorneys for Defendants  
24 Sau V. Vong, Cam Ly and Suying Plaskett

25 Dated: June 24, 2013

**SHIMODA LAW CORP.**

26 By: /s/ Galen T. Shimoda  
27 GALEN T. SHIMODA  
28 Attorney for Plaintiffs

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Dated: June 24, 2013


**DOWNEY BRAND LLP**

By: /s/ Cassandra Ferrannini  
CASSANDRA FERRANNINI  
Attorneys for Vinh Phat Supermarket, Inc.

**ORDER**

For good cause shown, the Court continues the status (pre-trial scheduling) conference in this matter to September 3, 2013 at 2:00 p.m. A Joint Status Report shall be filed no later than August 20, 2013.

Dated: June 24, 2013

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE