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12 Attorneys for Third-Party Defendant,
13 MUOI LAM

14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 JEANETTE HOANG, YUN WU, GUANG GU
17 XIANG, MENGTING FANNY KUO, GIA
18 NHAM THANH, EDMOND CAU VAN, GAO
19 ZHI WEI, DANNY HUNG LEUNG, YE-GUI
20 BU, and COOC MAN COONG,

21 Plaintiffs,

22 v.

23 VINH PHAT SUPERMARKET, INC., a
24 California Corporation; SAU V. VONG, as an
25 individual; CAM LY, as an individual; SUYING
26 PLASKETT, as an individual; and DOES 1 to
27 100, inclusive,

28 Defendants.

AND RELATED ACTIONS

CASE NO. 2:13-cv-00724-WBS-EFB

**STIPULATION AND [PROPOSED]
ORDER**

Whereas, Third-Party Plaintiffs Suying Plaskett, Sau Vong, and Cam Ly (aka Chan Cam Ly) (collectively “Third Party Plaintiffs”) and Third-Party Defendant Muoi Lam (“Third-Party Defendant”) previously stipulated to extend the time for Third-Party Defendant to respond to the

1 Third-Party Complaint to November 27, 2013, pursuant to Local Rule 144(a), in order to pursue
2 alternative dispute resolution.

3 Whereas, all parties to the entire action have now agreed to participate in a mediation
4 scheduled for December 17, 2013.

5 Whereas, both sides wish to avoid burdening the Court with and incurring the expense of
6 motion practice, including, without limitation motion practice under Rule 12(b)(6), concerning the
7 Third-Party Complaint, which Third-Party Defendant will file should mediation fail to resolve the
8 dispute as between these parties.

9 Whereas, this Stipulation is entered pursuant to Federal Rules of Civil Procedure Rule 6 and
10 Local Rule 144(a).

11 Whereas, counsel to all other parties to this action are aware of this stipulation and raise no
12 objection.

13 Therefore, Third-Party Plaintiffs and Third-Party Defendant hereby stipulate that Third-Party
14 Defendant shall have until 30 days after mediation of this matter is concluded to respond to the Third
15 Party Complaint.

16 Third-Party Plaintiffs and Third-Party Defendant also hereby respectfully request the Court
17 issue the attached [Proposed] Order so extending Third-Party Plaintiff's time to respond until after
18 mediation of this matter concludes.

19 **SO STIPULATED**

20 Dated: November ____, 2013

Respectfully submitted,

LOCKE LORD LLP

23 By: /s/ Daniel A. King

24 DANIEL A. KING
25 Attorneys for Third-Party Defendant
26 MUOI LAM

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Dated: November ____, 2013

SEGAL & KIRBY LLP


By: _____
JOHN T. KINN
Attorneys for Third-Party Plaintiffs
SAU V. VONG, CAM LY, and SUYING
PLASKETT

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Order

For good cause shown, the Court hereby extends Third-Party Defendant Muoi Lam's time to respond to the Third-Party Complaint filed by Third-Party Plaintiffs Suing Plaskett, Sau Vong, and Chan Cam Ly on August 26, 2013 in the above captioned matter (Docket No. 31) until thirty (30) calendar days after mediation between the parties to this suit has concluded. If mediation does not conclude on December 17, 2013, Third-Party Defendant and Third-Party Plaintiffs shall inform the Court that mediation was not concluded and advise the Court when mediation will be concluded.

Dated: November 19, 2013



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE