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 10 GUY JONES

11 * *Defendants and their respective counsel listed after the caption.*

12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA

14 GUY JONES

CASE NO. 2:14-cv-00102-LKK-DAD

15 Plaintiff,

16 v.

17 JAMIE’S BAR & GRILL; JAMES E.
 18 BUNNELL dba JAMIE’S BAR &
 19 GRILL; AKFM HOLDINGS, LLC; and
 20 DOES 1-10, Inclusive,

**STIPULATION AND ORDER TO
 REFER CASE TO MAGISTRATE
 JUDGE FOR SETTLEMENT
 CONFERENCE AND TO EXTEND
 TIME UNDER FED.R.CIV.P. RULE
 12(F)**

21 Defendants.

22 JOHN QUINCY BROWN III, Esq. (SBN 60681)
 23 STEPHEN W. ROBERTSON, Esq. (SBN 228708)
 24 HARDY ERICH BROWN & WILSON
 25 A Professional Law Corporation
 26 1000 G Street, Suite 200
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27 Attorney for Defendant JAMES E. BUNNELL
 28 dba JAMIE’S BAR & GRILL

1 TERENCE J. CASSIDY, Esq. (SBN 099180)
PORTER SCOTT
2 A Professional Law Corporation
350 University Avenue, Suite 200
3 Sacramento, California 95825
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5 Attorney for Defendant AKFM HOLDINGS, LLC

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7 **TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO ALL**
8 **PARTIES AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:**

9 **STIPULATION**

10
11 WHEREAS, the parties to this stipulation want to make best efforts to settle
12 this case without unnecessary litigation;

13 WHEREAS, the parties conducted a Fed.R.Civ.P. 34 site inspection on April 7,
14 2014 and are in the process of exchanging additional information that may facilitate
15 settlement in this case;

16 WHEREAS, plaintiff Guy Jones' deadline for filing a motion under
17 Fed.R.Civ.P. 12(f) to strike defenses from the Answers of defendants James E.
18 Bunnell dba Jamie's Bar & Grill and AKFM Holdings, LLC is May 2, 2014 (Docket
19 No. 22);

20 WHEREAS, the parties have tried unsuccessfully to resolve their disputes over
21 the Answers informally. However, they wish to avoid the necessity of plaintiff filing
22 a Fed.R.Civ.P. 12(f) motion until/unless continued settlement efforts do not succeed;

23 THEREFORE:

24 IT IS HEREBY STIPULATED by and among all parties: (1) that this case be
25 referred to a Magistrate Judge for an early settlement conference; and (2) that the
26 deadline for plaintiff to file any motion under Fed.R.Civ.P. 12(f) be extended to 30
27 days past the date the parties participate in a settlement conference with an assigned
28 Magistrate Judge. It is also stipulated that a) the parties shall meet and confer within

1 7 days after the settlement conference; b) that defendants shall thereafter be allowed
2 an opportunity to voluntarily amend their respective Answers prior to plaintiff filing
3 any Rule 12(f) motion; c) that any amended Answer shall be filed no later than 7 days
4 after the parties meet and confer.

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Date: April 29, 2014

LAW OFFICE OF PAUL L. REIN

By: /s/ Catherine Cabalo
CATHERINE CABALO, ESQ.
Attorneys for Plaintiff
GUY JONES

Date: May 1, 2014

HARDY ERICH BROWN & WILSON, PC

By: /s/ John Quincy Brown, III
JOHN QUINCY BROWN, III, ESQ.
Attorneys for Defendant
JAMES E. BUNNELL dba JAMIE'S BAR &
GRILL

Date: April 29, 2014

PORTER SCOTT, PC

By: /s/ Terence J. Cassidy
TERENCE J. CASSIDY, ESQ.
Attorneys for Defendant
AKFM HOLDINGS, LLC

1 **ORDER**

2 Pursuant to the stipulation of the parties and for good cause shown, it is hereby
3 ORDERED that this case shall be referred to Magistrate Judge Allison Claire for an
4 early settlement conference. Also for good cause shown, it is hereby ORDERED that
5 the deadline for plaintiff to file any motion under Fed.R.Civ.P. 12(f) be extended to
6 30 days past the date the parties participate in a settlement conference with
7 Magistrate Judge Claire. The parties shall meet and confer within 7 days after the
8 settlement conference. Defendants shall thereafter be allowed an opportunity to
9 voluntarily amend their respective Answers prior to plaintiff filing any Rule 12(f)
10 motion, and any amended Answer shall be filed no later than 7 days after the parties
11 meet and confer. **The settlement conference is set for August 14, 2014 at 9:00**
12 **a.m.** The parties are directed to submit confidential settlement conference statements
13 to chambers not later than seven (7) days prior to the settlement conference. Such
14 statements are neither to be filed with the clerk nor served on opposing counsel.
15 However, each party shall e-file a one page document entitled Notice of Submission
16 of Confidential Settlement Conference statement. The parties may agree, or not, to
17 serve each other with the settlement statements. Each party is reminded of the
18 requirements that it be represented in person at the settlement conference by a person
19 able to dispose of the case or fully authorized to settle the matter at the settlement
20 conference on any terms. See Local Rule 270.

21
22 IT IS SO ORDERED.

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25 Dated: May 2, 2014.



LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT