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6 Attorneys for Plaintiff
 7 ENRIQUE ALVAREZ ZARDAIN

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

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 11 ENRIQUE ALVAREZ ZARDAIN, an
 12 individual,

13 Plaintiff,

14 v.

15 IPACPA US, INC., a Delaware
 16 corporation, TRC HOLDINGS, INC., a
 Delaware corporation, and DOES 1-20,

17 Defendants.

CASE NO. 2:15-cv-01207-MCE-EFB

**STIPULATION AND ORDER TO
 CONTINUE HEARING ON MOTION
 SEEKING RELIEF FROM PRETRIAL
 SCHEDULING ORDER**

Date: December 15, 2016
 Time: 2:00 p.m.
 Dept.: Courtroom 7
 Judge: Hon. Morrison C. England

DOWNEY BRAND LLP

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 20 **RECITALS**

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 22 A. On October 18, 2016, Plaintiff Enrique Alvarez Zardain (“Plaintiff”) filed his
 23 Motion Seeking Relief From Pretrial Scheduling Order (the “Motion”). (Dkt. No. 37.) The
 24 Motion was originally set for hearing on December 1, 2016 at 2:00 p.m.

25 B. On November 15, 2016, Plaintiff filed a Stipulation and Order to Continue
 26 Hearing on Motion Seeking Relief From Pretrial Scheduling Order, seeking to continue the
 27 hearing on the motion to December 15, 2016. (Dkt. No. 39.) On November 17, 2016, the Court
 28 entered the Order continuing the hearing to December 15, 2016 at 2:00 p.m. (Dkt. No. 40.)

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C. The parties continue to discuss a settlement that would resolve this action in its entirety and therefore wish to further continue the current hearing date on the Motion, and all associated briefing deadlines, to avoid incurring additional attorneys' fees at this time.

STIPULATION

THEREFORE, it is hereby stipulated by the parties, by and through their attorneys of record, that:

- 1. The current hearing date of December 15, 2016 at 2:00 p.m. for Plaintiff's Motion Seeking Relief From Pretrial Scheduling Order be vacated and continued to January 12, 2017, at 2:00 p.m.
- 2. Defendant TRC Holdings, Inc.'s opposition to the Motion will be due to be filed on December 8, 2016, and Plaintiff's reply will be due to be filed on December 15, 2016.

DATED: November 30, 2016

DOWNEY BRAND LLP

By: /s/ Christopher B. Burton
JAMIE P. DREHER
CHRISTOPHER B. BURTON
Attorneys for Plaintiff
Enrique Alvarez Zardain

DATED: November 30, 2016

HILL RIVKINS BROWN & ASSOCIATES

By: /s/ Adam C. Brown (as authorized on 11-30-16)
ADAM C. BROWN
Attorneys for Defendant
TRC Holdings, Inc.

ORDER

In accordance with the foregoing stipulation, and good cause appearing, the hearing on Plaintiff's Motion Seeking Relief from Pretrial Scheduling Order is continued from December 15,

1 2016 to January 12, 2016 at 2:00 p.m. Defendant TRC Holdings, Inc.'s opposition to the Motion
2 is due December 8, 2016, and Plaintiff's reply must be filed not later than December 15, 2016.

3 IT IS SO ORDERED.

4 Dated: December 13, 2016

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6 MORRISON C. ENGLAND, JR.
7 UNITED STATES DISTRICT JUDGE
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