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12 Attorneys for Defendant  
 13 PETSMART, INC.

14 **UNITED STATES DISTRICT COURT**  
 15 **EASTERN DISTRICT OF CALIFORNIA**

17 GREGORY LOUIE,  
 18 Plaintiff,  
 19 vs.  
 20 PETSMART INC. and DOES 1 through 25,  
 inclusive;  
 21 Defendants.  
 22

Case No. 2:15-cv-02354-KJM-CKD

**STIPULATION AND ORDER TO MODIFY  
 STATUS (PRETRIAL SCHEDULING)  
 ORDER TO CONTINUE SETTLEMENT  
 CONFERENCE AND CORRESPONDING  
 DEADLINE TO SUBMIT CONFIDENTIAL  
 SETTLEMENT STATEMENTS BY 60  
 DAYS**

Action Filed: September 21, 2015  
 Trial Date: September 11, 2017

Hon. Kimberly J. Mueller

1 **STIPULATION**

2 **IT IS HEREBY STIPULATED AND AGREED TO** by and between Plaintiff Gregory  
3 Louie (“Plaintiff”) and his attorneys of record, The Cartwright Law Firm, by Maurice Fitzgerald,  
4 attorney at law, and Defendant PetSmart, Inc. (“PetSmart”), by its attorneys of record Ogletree,  
5 Deakins, Nash, Smoak & Stewart, P.C., by Gregory C. Cheng, attorney at law (collectively, the  
6 “Parties”), that the following Stipulation may be entered as an Order by the Court to give effect to  
7 the stipulations set forth below:

8 1. **WHEREAS**, Plaintiff filed his initial Complaint in Solano County Superior Court  
9 on September 21, 2015;

10 2. **WHEREAS**, on November 10, 2015, PetSmart timely served and filed its Answer  
11 to Plaintiff’s Complaint;

12 3. **WHEREAS**, on November 12, 2015, PetSmart removed the action to the U.S.  
13 District Court for the Eastern District of California;

14 4. **WHEREAS**, on April 14, 2016, this Court issued a Status (Pretrial Scheduling)  
15 Order, which ordered, *inter alia*, the following dates: a Settlement Conference on August 15, 2016  
16 at 9:30 a.m., and the corresponding confidential settlement statements due at least 7 days prior to  
17 the Settlement Conference, which results in a deadline to file confidential settlement statements by  
18 August 8, 2016;

19 5. **WHEREAS**, due to the nature of this action, the Parties believe that a private  
20 mediation would better facilitate the resolution of this matter;

21 6. **WHEREAS**, the parties have scheduled a private mediation with Cynthia Remmers  
22 for October 6, 2016;

23 7. **WHEREAS**, if the parties do not settle this case at mediation, the parties may  
24 mutually request a further settlement conference be scheduled with the court;

25 8. **WHEREAS**, the request to modify the Pretrial Scheduling Order to remove the  
26 settlement conference in favor of private mediation scheduled for October 6, 2016 will not  
27 prejudice the trial date of September 11, 2017.

28 **NOW, THEREFORE**, the Parties, by and through their respective counsel of record,

1 **AGREE AND HEREBY STIPULATE** that good cause exists to take the Settlement Conference,  
2 currently scheduled for August 15, 2016, off calendar pending private mediation which is currently  
3 scheduled for October 6, 2016. All other pretrial dates shall remain the same.

4 **IT IS SO STIPULATED ON THE DATES INDICATED BELOW.**

5  
6 DATED: August 4, 2016

THE CARTWRIGHT LAW FIRM, INC.

7  
8  
9 By: /s/ Maurice J. Fitzgerald  
10 MAURICE J. FITZGERALD  
Attorneys for Plaintiff  
11 GREGORY LOUIE

12 DATED: August 4, 2016

OGLETREE, DEAKINS, NASH, SMOAK &  
13 STEWART, P.C.

14  
15 By: /s/ Susan T. Ye  
16 GREGORY C. CHENG  
SUSAN T. YE  
17 Attorneys for Defendant  
PETSMART, INC.  
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**ORDER**

**GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED** that the Pretrial Scheduling Order be modified to take the Settlement Conference currently scheduled for August 15, 2016 before Magistrate Judge Delaney off calendar in favor of private mediation which is scheduled for October 6, 2016. All other dates shall remain the same.

**IT IS SO ORDERED.**

DATED: August 9, 2016.

  
UNITED STATES DISTRICT JUDGE