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8 **UNITED STATES DISTRICT COURT**
 9
 10 **EASTERN DISTRICT OF CALIFORNIA**

11	BIGTRUCK BRAND, INC. and)	CASE NO. 2:17-CV-01593-KJM-AC
12	GALEN GIFFORD,)	Honorable Kimberly J. Mueller
13	Plaintiffs,)	
14	v.)	STIPULATION AND ORDER
15	KELSEN THOMPSON,)	EXTENDING TIME FOR
16	individually and doing business as)	DEFENDANT TO RESPOND TO
17	“We the Trees Brand”,)	COMPLAINT
18	Defendant.)	
19)	<i>Complaint Filed: August 1, 2017</i>
)	<i>Trial Date: Not Set</i>

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STIPULATION AND ORDER EXTENDING TIME FOR DEFENDANT TO RESPOND TO COMPLAINT

1 WHEREAS, Plaintiffs BigTruck Brand, Inc. and Galen Gifford
2 (collectively, “Plaintiffs”) filed their Complaint in the above-captioned action (the
3 “Action”) on August 1, 2017.

4 WHEREAS, Defendant Kelsen Thompson, individually and doing business
5 as “We the Trees Brand” (“Thompson”), was personally served with the Summons
6 and Complaint on August 4, 2017, such that the deadline for Thompson to file his
7 response to the Complaint was August 25, 2017.

8 WHEREAS, Plaintiffs and Thompson previously have entered into two
9 written stipulations to extend the time for Thompson to respond to the Complaint
10 by a collective total of twenty-eight (28) days, to and including Friday, September
11 22, 2017, in accordance with Eastern District of California Local Rule 144 (a).

12 WHEREAS, as a result of the parties’ prior stipulations, the current due date
13 for Thompson’s response to the Complaint is Friday, September 22, 2017.

14 WHEREAS, the parties have been actively engaged in settlement
15 discussions in an effort to reach a resolution of this Action.

16 WHEREAS, in a further effort to reach an early resolution of this Action, the
17 parties have agreed to participate in an early private mediation as soon as possible.

18 WHEREAS, the parties presently are screening potential mediators and
19 available dates for the mediation, and expect to attend mediation within the next
20 few weeks.

21 WHEREAS, there is GOOD CAUSE to extend the due date for Thompson
22 to respond to the Complaint to give the parties an opportunity to attempt to resolve
23 this case through private mediation in the next few weeks: The parties believe that
24 it would facilitate the possible early settlement of this Action, furthering judicial
25 economy, if such early private mediation takes place before Thompson files his
26 response to the Complaint.

27 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**
28 between the parties, by and through their counsel of record, that the deadline for

1 Thompson to file and serve his response to the Complaint in the Action shall be
2 extended by an additional thirty (30) days, such that Thompson's response to the
3 Complaint shall be due on Monday, October 23, 2017.

4 DATED: September 20, 2017 CALL & JENSEN

6 By: /s/ Deborah A. Gubernick
7 (as authorized on 09/20/2017)

8 Deborah A. Gubernick
9 Attorneys for Plaintiffs
10 BIGTRUCK BRAND, INC. and
11 GALEN GIFFORD

12 DATED: September 20, 2017 MOUNTAINSIDE LAW

14 By: /s/ Alan R. Wechsler

15 Alan R. Wechsler
16 Attorneys for Defendant
17 KELSEN THOMPSON

18 **IT IS SO ORDERED.**

19 DATED: September 21, 2017.

20 
21 UNITED STATES DISTRICT JUDGE