

1 Zachary M. Best, SBN 166035
 MISSION LAW FIRM, A.P.C.
 2 332 North Second Street
 San Jose, California 95112
 3 Telephone: (408) 298-2000
 Facsimile: (408) 298-6046
 4 Email: service@mission.legal

5 Attorneys for Plaintiff,
 Cleveland Vickers

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

| | | |
|---------------------------------------|---|--------------------------------|
| 11 CLEVELAND VICKERS, |) | No. 2:17-cv-01948-KJM-KJN |
| |) | |
| 12 Plaintiff, |) | STIPULATION TO AMEND |
| |) | SCHEDULING ORDER; ORDER |
| 13 vs. |) | |
| |) | |
| 14 O'REILLY AUTO ENTERPRISES, LLC dba |) | |
| 15 O'REILLY AUTO PARTS #3488, et al., |) | |
| |) | |
| 16 Defendants. |) | |
| |) | |
| 17 |) | |
| |) | |

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 19 Plaintiff, Cleveland Vickers ("Plaintiff"), and Defendants, O'Reilly Auto Enterprises,
 20 LLC dba O'Reilly Auto Parts #3488 and Honda I, LLC ("Defendants," and together with
 21 Plaintiff, the "Parties"), together request that the Court amend the current deadlines set by this
 22 Court's Status (Pretrial Scheduling) Order, dated July 25, 2018 (Dkt. 21) ("Scheduling Order")
 23 as follows:

24 **WHEREAS**, the Scheduling Order sets a deadline to request leave to amend the
 25 pleadings of September 28, 2018, and prior to amending his complaint, Plaintiff needs to inspect
 26 the subject property to identify whether any additional barriers to his access exist, for Plaintiff's
 27 consultant to prepare his findings, for Plaintiff to review those findings and prepare his amended
 28 complaint, for Plaintiff to provide the proposed amendment to Defendants so that they can

1 consider stipulating to the amendment, and for Plaintiff to prepare a motion for leave to amend
2 if Defendants not stipulate;

3 **WHEREAS**, Plaintiff properly noticed a site inspection which was to take place on
4 September 6, 2018;

5 **WHEREAS**, due to a scheduling conflict, counsel for Defendants has requested a
6 continuance of Plaintiff's site inspection;

7 **WHEREAS**, due to unavailability of counsel for rescheduling the site inspection, the
8 Parties have agreed to continue the deadline to amend the complaint;

9 **NOW, THEREFORE, THE PARTIES, THROUGH THEIR RESPECTIVE**
10 **COUNSEL, HEREBY STIPULATE AND AGREE** to amend the Scheduling Order to extend
11 the deadline to request leave to amend the pleadings to October 29, 2018.

12 All other requirements set forth in the Scheduling Order relating to the above shall
13 remain unchanged, including the pre-trial and trial dates.

14
15 Dated: September 7, 2018

MISSION LAW FIRM, A.P.C.

16
17 /s/ Zachary M. Best
18 Zachary M. Best
19 Attorneys for Plaintiff,
Cleveland Vickers

20 Dated: September 7, 2018

DOWNEY BRAND LLP

21 /s/ Elizabeth B. Stallard
22 Elizabeth B. Stallard
23 Attorneys for Defendants
24 O'Reilly Auto Enterprises, LLC dba
25 O'Reilly Auto Parts #3488
26 and Honda I, LLC
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ORDER

The Parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that the Scheduling Order, dated July 25, 2018 (Dkt. 21), is amended to extend the deadline for the Parties to seek leave to amend the pleadings to October 29, 2018.

All other requirements set forth in the Scheduling Order relating to the above shall remain unchanged, including the pre-trial and trial dates.

IT IS SO ORDERED.

DATED: September 18, 2018.


UNITED STATES DISTRICT JUDGE