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21 **UNITED STATES DISTRICT COURT**
 22 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

23 EMANUEL AVILAAVILA, CAROLE
 24 SCHAUER, SHEREE SILVA, OMAR
 25 ALDAMEN individually and on behalf of all
 26 others similarly situated,

27 Plaintiff,

28 v.

KSF ACQUISITION CORPORATION,

Defendant.

Case No.: 2:22-cv-00419-JAM-DB

**STIPULATION AND ORDER TO
 EXTEND THE BRIEFING SCHEDULE
 ON DEFENDANT’S MOTION TO
 DISMISS THE SECOND AMENDED
 COMPLAINT**

1 Pursuant to Local Civil Rule 143 and 144, Plaintiffs Emanuel Aliva, Carole Schauer,
2 Sheree Silva and Omar Aldamen (“Plaintiffs”), and KSF Acquisition Corporation (“Defendant”)
3 (collectively the “Parties”), submit the following Stipulation.

4 **RECITALS**

5 **WHEREAS**, on July 18, 2022, in ECF No. 19, this Court permitted Plaintiffs to file their
6 Second Amended Complaint on or before August 5, 2022 in the above captioned action;

7 **WHEREAS**, on August 5, 2022, Plaintiffs filed their Second Amended Complaint;

8 **WHEREAS**, on September 2, 2022, Defendant filed its Motion to Dismiss Plaintiffs’
9 Second Amended Complaint (ECF No. 22);

10 **WHEREAS**, per ECF No. 19, Plaintiffs must respond to Defendant’s Motion to Dismiss
11 their Second Amended Complaint by September 16, 2022;

12 **WHEREAS**, the parties have explored preliminary discussions about a potential resolution
13 of all claims and the parties request more time for Plaintiffs to respond to Defendant’s Motion to
14 Dismiss their Second Amended Complaint.

15 **WHEREAS**, the parties stipulate to allow Plaintiffs additional time to respond to
16 Defendant’s Motion to Dismiss the Second Amended Complaint.

17 **WHEREAS**, the parties have not previously requested an extension of the deadline to
18 respond and reply to Defendant’s Motion to Dismiss the Second Amended Complaint.

19 **STIPULATION**

20 **THEREFORE**, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

21 1. Plaintiffs’ Opposition to Defendant’s Motion to Dismiss their Second Amended
22 Complaint shall be filed on or before October 7, 2022;

23 2. Defendant’s reply memorandum shall be filed on or before October 21, 2022.

24 **IT IS SO STIPULATED.**

25 Dated: September 14, 2022

/s/ Trenton R. Kashima _____

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Dated: September 14, 2022

/s/ Rachel E. K. Lowe (as authorized on 9-13-22)

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**Attorneys for Defendant KSF ACQUISITION
CORPORATION**

IT IS SO ORDERED.

Dated: September 15, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE