

1 THOMAS E. FRANKOVICH (State Bar No. 074414)
THOMAS E. FRANKOVICH,
2 *A Professional Law Corporation*
4328 Redwood Hwy., Suite 300
3 San Rafael, CA 94903
Telephone: 415/674-8600
4 Facsimile: 415/674-9900

5 Attorneys for Plaintiff
CRAIG YATES, an individual

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9 CRAIG YATES, an individual,)

10 Plaintiff,)

11 v.)

12)
13 THAINA CAFÉ LLC, a California Limited)
14 Liability Company; and STAR 94 LLC, a)
15 California Limited Liability Company,)

16 Defendants.)
_____)

CASE NO. CV-10-1411-MEJ

STIPULATION RE CONTINUING
DEADLINE FOR THE PARTIES TO
CONDUCT THE JOINT SITE
INSPECTION; AND [~~PROPOSED~~] ORDER
THEREON

17
18
19 Plaintiff CRAIG YATES and defendant STAR 94 LLC, a California Limited Liability
20 Company, by and through their respective counsel, respectfully request and stipulate, as follows:

21 1. **Whereas**, defendant STAR 94 LLC filed its answer to the complaint in the above-
22 captioned matter on June 30, 2010;

23 2. **Whereas**, plaintiff CRAIG YATES submitted his demand for injunctive relief to
24 defendant STAR 94 LLC, a California Limited Liability Company on August 10, 2010;

25 3. **Whereas**, defendant THAINA CAFÉ LLC has not responded to plaintiff's
26 complaint. Plaintiff's counsel has not heard from any attorney/representation for defendant
27 THAINA CAFÉ LLC;

28 STIPULATION RE CONTINUING DEADLINE FOR THE PARTIES TO CONDUCT THE JOINT SITE INSPECTION AND
[PROPOSED] ORDER THEREON

CV-10-1411-MEJ

1 4. **Whereas**, defendant THAINA CAFÉ LLC was served with the summons and
2 complaint by sub-service on May 27, 2010. Defendant THAINA CAFÉ LLC answer to
3 plaintiff's complaint was due on June 26, 2010;

4 5. **Whereas**, plaintiff submitted his letter regarding default to defendant THAINA
5 CAFÉ LLC on August 10, 2010;

6 6. **Whereas**, due to these circumstances, the parties have not been able to conduct
7 the joint site inspection as Ordered by General Order 56, ¶3,4; and

8 7. **Whereas**, in light of the above, by continuing the joint site inspection, counsel
9 for the plaintiff believes this will allow defendant THAINA CAFÉ LLC sufficient time to hire an
10 attorney, answer and/or otherwise respond to plaintiff's complaint and the parties can conduct the
11 joint site inspection as required by General Order 56. If plaintiff's counsel is unsuccessful in
12 attempting to notify defendant THAINA CAFÉ LLC via certified mail regarding default, then
13 counsel for the plaintiff will proceed with filing a notice to request a default be entered against
14 defendant THAINA CAFÉ LLC.

15 **IT IS SO STIPULATED:**

16 That plaintiff CRAIG YATES and defendant STAR 94 LLC, a California Limited
17 Liability Company, agree, stipulate and respectfully request that the last day for the parties and
18 counsel to conduct the joint inspection of the premises be continued up to and including
19 September 30, 2010.

20 Respectfully submitted,

21
22 Dated: August 10, 2010

THOMAS E. FRANKOVICH, Esq.

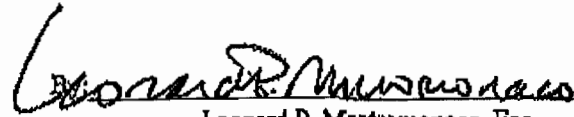
23 ***A PROFESSIONAL LAW CORPORATION***

24
25 By: _____/s/_____

26 Thomas E. Frankovich
27 Attorneys for Plaintiff CRAIG YATES, an individual

1 Dated: 8/13, 2010

LEONARD P. MASTROMONACO, Esq.
MASTROMONACO REAL PROPERTY
LAW GROUP,

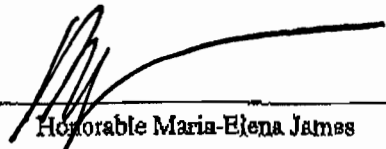
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5 
6 Leonard P. Mastromonaco, Esq.

7 Attorneys for Defendant STAR 94 LLC, a California
8 Limited Liability Company

9
10 **ORDER**

11 **IT IS SO ORDERED** that the last day for the parties and counsel to conduct the joint
12 site inspection of the premises be continued up to and including September 30, 2010.

13
14 Dated: 8/17, 2010

15 
16 Honorable Maria-Elena James
17 United States Magistrate Judge