

1 THOMAS E. FRANKOVICH,  
 2 **A PROFESSIONAL LAW CORPORATION**  
 3 THOMAS E. FRANKOVICH (State Bar No. 074414)  
 4 4328 Redwood Hwy., Suite 300  
 5 San Rafael, CA 94903  
 6 Telephone: 415/674-8600  
 7 Facsimile: 415/674-9900

8 Attorneys for Plaintiff  
 9 CRAIG YATES, an individual

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12 CRAIG YATES, an individual,

CV-10-2484-EDL

13 Plaintiff,

**STIPULATION EXTENDING TIME  
 FOR DEFENDANTS DON WONG and  
 MAR SHEE WONG, as Trustees of the  
 WAHONG BILL WONG BYPASS  
 TRUST, under Declaration of Trust  
 dated June 20, 1997; CONTINUING  
 JOINT SITE INSPECTION DEADLINE;  
 AND [PROPOSED] ORDER THEREON**

14 v.

15 CIGARETTE DEPOT; DON WONG and  
 16 MAR SHEE WONG, as Trustees of the  
 17 WAHONG BILL WONG BYPASS  
 TRUST, under Declaration of Trust dated  
 June 20, 1997; and ALI M. JAMIL, an  
 individual,

18 Defendants.

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 21 Plaintiff CRAIG YATES, an individual and Defendants DON WONG and MAR SHEE  
 22 WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of  
 23 Trust dated June 20, 1997, by and through their respective counsel, respectfully request and make  
 24 the following stipulation:

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28 **STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL  
 WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE;  
 AND [PROPOSED] ORDER THEREON**

CV-10-2484-EDL

1           1. Defendant MAR SHEE WONG, as Trustee of the WAHONG BILL WONG  
2 BYPASS TRUST, under Declaration of Trust dated June 20, 1997 was served with the  
3 summons and complaint via personal service on July 23, 2010; defendant ALI M. JAMIL was  
4 served with the summons and complaint via personal service July 29, 2010.

5           2. None of the defendants in the above-captioned matter have answered plaintiff's  
6 complaint.

7           3 On August 3, 2010, via mail plaintiff's counsel was contacted by attorney,  
8 Brennan J. Newsom on behalf of defendants DON WONG and MAR SHEE WONG, as  
9 Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated  
10 June 20, 1997. Mr. Newsom requested a 30-day extension for defendants DON WONG and  
11 MAR SHEE WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under  
12 Declaration of Trust dated June 20, 1997.

13           4. Plaintiff has agreed to grant defendants DON WONG and MAR SHEE WONG,  
14 as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated  
15 June 20, 1997, a one time extension of 30-days on the condition that Mr. Newsom accepts  
16 service on behalf of defendant DON WONG, Trustees of the WAHONG BILL WONG BYPASS  
17 TRUST, under Declaration of Trust dated June 20, 1997.

18           5. Defense counsel has agreed to accept service on behalf of DON WONG, Trustee  
19 of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated June 20,  
20 1997 and respond to plaintiff's complaint on or about but no later than September 13, 2010.

21           6. Plaintiff also request that the last day for the parties and counsel to conduct a joint  
22 inspection of the premises be continued from September 13, 2010 to October 29, 2010, in order  
23 to give all parties sufficient time to be served, appear, and meaningfully participate in the joint  
24 inspection.

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28 **STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL  
WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE;  
AND [PROPOSED] ORDER THEREON**

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**IT IS SO STIPULATED:**

That the last day for defendants DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997, to answer or otherwise respond to plaintiff's complaint be extended up to and including September 13, 2010, and the last day for the parties and counsel to conduct the joint inspection of the premises pursuant to General Order 56, by and including October 29, 2010.

Respectfully submitted,

Dated: August 9, 2010

THOMAS E. FRANKOVICH,  
*A PROFESSIONAL LAW CORPORATION*

By:   
Thomas E. Frankovich  
Attorneys for Plaintiff CRAIG YATES, an individual

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STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE; AND [PROPOSED] ORDER THEREON

1 Dated: Aug 26, 2010

BRENNAN J. NEWSOM,  
LAW OFFICES

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4 By: [Signature]  
5 Brennan J. Newsom

6 Attorneys for defendants DON WONG and  
7 MAR SHEE WONG, as Trustees of the  
8 WAHONG BILL WONG BYPASS TRUST,  
9 under Declaration of Trust dated June 20, 1997

10 **ORDER**

11 **IT IS SO ORDERED** that the last day for defendants DON WONG and MAR SHEE  
12 WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of  
13 Trust dated June 20, 1997, to answer plaintiff's complaint is extended up to and including  
14 September 13, 2010, and the last day for the parties and counsel to conduct the General Order 56  
15 site inspection of the premises is continued up to and including October 29, 2010.

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18 Dated: August 26, 2010

Elijah D. Laporte  
HON. ELIZABETH D. LAPORTE  
United States Magistrate Judge

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28 STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL  
WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE;  
AND [PROPOSED] ORDER THEREON

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**CERTIFICATE OR PROOF OF SERVICE**

State of California            )  
  ) ss  
County of Marin                )

I, the undersigned, say: I am and was at all times herein mentioned, a citizen of the United States, over the age of eighteen (18) years and not a party to the within action or proceeding; that my business address is 4328 Redwood Hwy, Suite 300, San Rafael, CA 94903; that on the below date, following normal business practice, I served the foregoing document, described as:

**STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE; AND [PROPOSED] ORDER THEREON**

on the interested parties in this action, conveyed as follows:

- By depositing true copies thereof, enclosed in a sealed envelope, with postage thereon fully prepaid:
    - in first class U.S. Mail
    - in \_\_\_ priority or \_\_\_ standard overnight mail via Federal Express.
- I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence, including said envelope, will be deposited with the United States Postal Service at San Rafael.

addressed to:

**Brennan J. Newsom  
Law Offices  
30 N. San Pedro Rd., Suite 195  
San Rafael, CA 94903**

**Ali M. Jamil, an individual, *In Pro Per*  
2254 Clement Street  
San Francisco, CA 94121**

I declare under penalty of perjury under the laws of the State of California that I am employed in the office of a member of the bar of this court at whose direction the service was made, and that the foregoing is true and correct. Executed on August 25, 2010, at San Rafael, California.

  
\_\_\_\_\_  
Armetrice Cooper  
(Original signed)