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 2 **A PROFESSIONAL LAW CORPORATION**  
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5 Attorneys for Plaintiff CRAIG YATES

6 UNITED STATES DISTRICT COURT  
 7 NORTHERN DISTRICT OF CALIFORNIA  
 8

9 CRAIG YATES, an individual, )  
 10 Plaintiff, )  
 11 v. )  
 12 NAPA VALLEY PETROLEUM, INC., a )  
 13 California Corporation dba SALVADOR )  
 14 EXXON, a.k.a., CHEVRON STN )  
 00305940; and GELOW, INC., a California )  
 15 Corporation, )  
 16 Defendants. )

**CASE NO. CV-10-4421-EMC**  
**STIPULATION EXTENDING TIME**  
**FOR DEFENDANT NAPA VALLEY**  
**PETROLEUM, INC., a California**  
**Corporation dba SALVADOR EXXON,**  
**a.k.a., CHEVRON STN 00305940 TO**  
**RESPOND TO PLAINTIFF'S**  
**COMPLAINT**  
**ORDER**

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 20 Pursuant to Local Rule 6.1(a), Plaintiff CRAIG YATES, and Defendant NAPA VALLEY  
 21 PETROLEUM, INC., a California Corporation dba SALVADOR EXXON, a.k.a., CHEVRON  
 22 STN 00305940, by and through their respective counsel, respectfully request and make the  
 23 following stipulation:

24 1. Whereas, defendant NAPA VALLEY PETROLEUM, INC., a California  
 25 Corporation dba SALVADOR EXXON, a.k.a., CHEVRON STN 00305940 was served with the  
 26 summons and complaint on November 12, 2010, via personal-service. Its answer to the  
 27 complaint is currently due on December 3, 2010.

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1           2.       Whereas, defendant NAPA VALLEY PETROLEUM, INC., a California  
2 Corporation dba SALVADOR EXXON, a.k.a., CHEVRON STN 00305940 has retained counsel  
3 and requested additional time to respond to plaintiff’s complaint;

4           3.       Whereas, the parties are currently trying to negotiate a settlement in the above-  
5 referenced case, and wish to reduce fees, costs and litigation expenses in so doing;

6           4.       Whereas, the parties believe it would be in the interests of efficiency and economy  
7 to extend the deadline for defendant NAPA VALLEY PETROLEUM, INC., a California  
8 Corporation dba SALVADOR EXXON, a.k.a., CHEVRON STN 00305940 to respond to the  
9 complaint, and to allow time to negotiate an agreement;

10          5.       Whereas, plaintiff has agreed to grant additional time for defendant NAPA  
11 VALLEY PETROLEUM, INC., a California Corporation dba SALVADOR EXXON, a.k.a.,  
12 CHEVRON STN 00305940 to respond to the complaint; and

13          6.       Whereas, defendant’s counsel further stipulates that defendant will comply with  
14 any and all due dates dictated by the Federal Rules of Civil Procedure, the Local Rules of Court,  
15 and/or any scheduling order issued by this court prior to the date on which defendant’s responsive  
16 pleading is due.

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1 **IT IS STIPULATED:**

2 That the last day for defendant NAPA VALLEY PETROLEUM, INC., a California  
3 Corporation dba SALVADOR EXXON, a.k.a., CHEVRON STN 00305940, to answer or  
4 otherwise respond to plaintiff's complaint be extended up to and including January 17, 2011.

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6 Respectfully submitted,

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8 Dated: December 3, 2010

9 **THOMAS E. FRANKOVICH,**  
***A PROFESSIONAL LAW CORPORATION***

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11 By: \_\_\_\_\_ /s/  
12 Thomas E. Frankovich  
13 Attorneys for Plaintiff CRAIG YATES, an  
14 individual

15  
16 Dated: December 3, 2010

17 **CAMERON SCOTT KIRK,**  
***SPAULDING MCCULLOUGH & TANSIL LLP***

18  
19 By: \_\_\_\_\_ /s/  
20 Cameron Scott Kirk  
21 Attorney for Defendant NAPA VALLEY  
22 PETROLEUM, INC., a California Corporation dba  
23 SALVADOR EXXON, a.k.a., CHEVRON STN  
24 00305940

25 IT IS SO ORDERED

26  
27 Edward M. Chen  
28 U.S. Magistrate  
Judge

