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5 Attorneys for Plaintiff CRAIG YATES

6 UNITED STATES DISTRICT COURT
 7 NORTHERN DISTRICT OF CALIFORNIA

8 CRAIG YATES, an individual,)
 9 Plaintiff,)
 10 v.)
 11 LIBERTY MARKET, INC., a California)
 12 Corporation dba LIBERTY MARKET; and)
 13 JAMES S. LEONG, Trustee of)
 14 REVOCABLE TRUST,)
 15 Defendants.)

CASE NO. CV-11-0147-JCS
STIPULATION EXTENDING TIME
FOR DEFENDANTS LIBERTY
MARKET, INC., a California
Corporation dba LIBERTY MARKET;
and JAMES S. LEONG, Trustee of
REVOCABLE TRUST TO RESPOND
TO PLAINTIFF’S COMPLAINT

16 Pursuant to Local Rule 6.1(a), Plaintiff CRAIG YATES, and Defendants LIBERTY
 17 MARKET, INC., a California Corporation dba LIBERTY MARKET; and JAMES S. LEONG,
 18 Trustee of REVOCABLE TRUST, by and through their respective counsel, respectfully request
 19 and make the following stipulation:
 20

- 21 1. Whereas, all defendants have been served;
- 22 2. Whereas, defendants LIBERTY MARKET, INC., a California Corporation dba
 23 LIBERTY MARKET; and JAMES S. LEONG, Trustee of REVOCABLE TRUST have
 24 requested additional time to respond to plaintiff’s complaint;
- 25 3. Whereas, the parties are currently trying to negotiate a settlement in the above-
 26 referenced case, and wish to reduce fees, costs and litigation expenses in so doing;
- 27 4. Whereas, the parties conducted the General Order 56 joint
 28 site inspection at the LIBERTY MARKET, located at/near 5851 Geary Boulevard, San
 Francisco, California on March 7, 2011 at 1:00 p.m.

STIPULATION EXTENDING TIME FOR DEFENDANTS LIBERTY MARKET, INC., a California Corporation dba LIBERTY MARKET; and JAMES S. LEONG, Trustee of REVOCABLE TRUST RESPOND TO PLAINTIFF’S COMPLAINT

1 5. Whereas, the parties believe it would be in the interests of efficiency and economy
2 to extend the deadline for defendants LIBERTY MARKET, INC., a California Corporation dba
3 LIBERTY MARKET; and JAMES S. LEONG, Trustee of REVOCABLE TRUST to respond to
4 the complaint, and to allow time to negotiate an agreement;

5 6. Whereas, plaintiff has agreed to grant additional time for defendants LIBERTY
6 MARKET, INC., a California Corporation dba LIBERTY MARKET; and JAMES S. LEONG,
7 Trustee of REVOCABLE TRUST to respond to the complaint; and

8 7. Whereas, defendants' counsel further stipulate that defendants will comply with
9 any and all due dates dictated by the Federal Rules of Civil Procedure, the Local Rules of Court,
10 and/or any scheduling order issued by this court prior to the date on which defendants' responsive
11 pleading is due.

12 **IT IS STIPULATED:**

13 That the last day for defendants LIBERTY MARKET, INC., a California Corporation dba
14 LIBERTY MARKET; and JAMES S. LEONG, Trustee of REVOCABLE TRUST , to answer or
15 otherwise respond to plaintiff's complaint be extended up to and including April 15, 2011.

17 Dated: March 7, 2011

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

19 By: _____/s/
20 Thomas E. Frankovich
21 Attorneys for Plaintiff CRAIG YATES, an
individual

22 Dated: March 7, 2011

EDWARD M. HIGGINBOTHAM,
LAW OFFICES OF EDWARD HIGGINBOTHAM

24 Dated: March 10, 2011



25 _____/s/
26 Edward M. Higginbotham
27 Attorneys for Defendants LIBERTY MARKET,
28 a California Corporation dba LIBERTY
MARKET; and JAMES S. LEONG, Trustee of
REVOCABLE TRUST

CERTIFICATE OR PROOF OF SERVICE BY MAIL

State of California)
) ss
County of Marin)

I, the undersigned, say: I am and was at all times herein mentioned, a resident of the County of San Francisco, 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 LIBERTY MARKET, INC., a California Corporation dba LIBERTY MARKET; and JAMES S. LEONG, Trustee of REVOCABLE TRUST TO RESPOND TO PLAINTIFF'S COMPLAINT

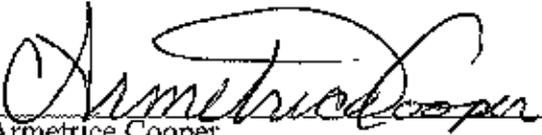
on the interested parties in this action, conveyed as follows:

- 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:

Edward M. Higginbotham, Attorney	James S. Leong, Trustee
885 Bryant Street, 2 nd Fl.	Revocable Trust
San Francisco, CA 94103	1666 Chestnut Street
	San Francisco, CA 94123

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 March 9, 2011, at San Rafael, California.


 Armetrice Cooper
 (Original signed)