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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION
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12 DAREN HEATHERLY and IRMA RAMIREZ,

13 Plaintiffs,

14 v.

15 MARISCO'S LA JAIBA; XU TRUONG and
 AHN HOANG, TRUSTEES OF THE
 16 TRUONG/HOANG FAMILY TRUST, U.D.T.
 dated March 18, 1997; and MIGUEL PELAYO
 17 MONTIEL, an individual dba MARISCO'S LA
 JAIBA,

18 Defendants.
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Case No.: CV 11-1069 MEJ

Unlimited Civil Matter

**FOURTH STIPULATION EXTENDING
 TIME FOR DEFENDANT XU TRUONG
 and ANH HOANG, TRUSTEES OF THE
 TRUONG/HOANG FAMILY TRUST TO
 RESPOND TO PLAINTIFFS'
 COMPLAINT AND EXTENDING DATES
 IN SCHEDULING ORDER; AND
~~[PROPOSED]~~ ORDER THEREON**

20 Plaintiffs DARREN HEATHERLY AND IRMA RAMIREZ (hereinafter "Plaintiffs") and
 21 Defendants MARISCO'S LA JAIBA (hereinafter "Marisco's"); XU TRUONG and ANH HOANG
 22 (erroneously sued herein as AHN HOANG), TRUSTEES OF THE TRUONG/HOANG FAMILY
 23 TRUST, U.D.T. dated March 18, 1997 (hereinafter "Defendant Truong"); and MIGUEL PELAYO
 24 MONTIEL, an individual dba MARISCO'S LA JAIBA (hereinafter "Montiel"), by and through their
 25 respective counsel, respectfully request to make the following stipulation:

- 26 1. WHEREAS, all Defendants have been served with the Summons and Complaint; and
 27 2. WHEREAS, Defendants Marisco's and Montiel have filed an Answer to the
 28 Complaint; and

1 3. WHEREAS, the Court has entered three prior Orders extending the dates in the
2 Scheduling Order based on Stipulations agreed to by the parties.

3 4. WHEREAS, the Court's July 15, 2011 Order extended the dates in the Scheduling
4 Order as follows:

5 Defendant Truong's response to the Complaint due July 28, 2011.

6 Parties to complete Initial Disclosures by July 29, 2011.

7 Parties to hold a joint inspection of the premises by August 5, 2011.

8 Parties to meet and confer in person to discuss settlement by August 15, 2011.

9 Plaintiff's file "Notice of Need for Mediation" by September 20, 2011.

10 5. WHEREAS, on July 5, 2011, Defendant Truong made a written settlement offer to
11 Plaintiffs.

12 6. WHEREAS, on July 20, 2011, Plaintiffs made a written counteroffer for settlement to
13 Defendant Truong.

14 7. WHEREAS, Defendant Truong and Plaintiffs continue to actively attempt to negotiate
15 a settlement in the above-referenced case, and wish to reduce fees, costs and litigation expenses in
16 doing so.

17 8. WHEREAS, the parties believe it would be in the interests of efficiency and economy
18 to extend the time for Defendant Truong to respond to Plaintiff's Complaint and to further extend for
19 two weeks the dates in the July 15, 2011 Order.

20 IT IS STIPULATED that:

21 1. Defendant Truong will have up to and including August 11, 2011 to respond to the
22 Complaint;

23 2. The parties will complete initial disclosures by August 12, 2011;

24 3. The parties will hold a joint inspection of the premises by August 19, 2011;

25 4. The last day for the parties to meet and confer in person to discuss settlement is
26 August 29, 2011;

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IT IS FURTHER ORDERED that the parties will hold a joint inspection of the premises by August 19, 2011.

IT IS FURTHER ORDERED that the last day for the parties to meet and confer in person to discuss settlement is August 29, 2011;

IT IS FURTHER ORDERED that the last day for Plaintiffs to file "Notice of Need for Mediation" is October 4, 2011.

Dated: July 29, 2011



THE HONORABLE MARIA-ELENA JAMES
United States Magistrate Judge