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8 Attorneys for Defendant
 9 SAFEWAY INC.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 _____
 13 CRAIG YATES, an individual,)
 14)
 Plaintiff,)

15 vs.)

16 SAFEWAY, INC., a Delaware)
 17 Corporation,)
 18 Defendants.)

No. CV 11-1571 SI
 Related to CV 11-0873 SI

STIPULATION AND ~~Proposed~~
ORDER CONTINUING THE
CASE MANAGEMENT
CONFERENCE NOW
SCHEDULED FOR NOVEMBER
18, 2011

19 _____
 20 CRAIG YATES, an individual,)
 21)
 Plaintiff,)

22 vs.)

23 PERKOS CAFÉ; SAFEWAY, INC.;)
 24 GLEN WIENKE; TAMRA WIENKE;)
 LEE ROY CAMPBELL; and DOES 1)
 25 through 50, Inclusive,)
 26 Defendants.)

Trial Date: None Set

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1 **INTRODUCTION**

2 In these related cases, plaintiff alleges that he is disabled and that
3 defendants violated the Americans with Disabilities Act by denying him
4 access to the Perko's Café and Tacos El Rey Restaurant located in the
5 Willow Tree Shopping Center in Lakeport California. The center is owned
6 by Safeway, Inc.

7 On September 8, 2011, the court issued a notice of a Further Case
8 Management Conference to take place on October 28, 2011 at 3:00 p.m.
9 The Court continued the conference to November 18, 2011 following
10 stipulation by the parties because counsel for Safeway was unavailable.
11 Since that time, the Perkos action, (No CV 11-0873), settled with the
12 assistance of Magistrate Judge Cousins. Judge Cousins has only recently
13 been assigned to conduct a settlement conference in the related case (No. CV
14 11-1571) and has ordered the conference in that action to take place on
15 December 15, 2011.

16 Subject to the court's approval, the parties in the related Yates action
17 (No. CV 11-1571) have agreed to stipulate to a continuance of the Further
18 Case Management Conference until the aforementioned settlement
19 conference has been conducted.

20 **STIPULATION**

21 The parties hereby stipulate that the Further Case Management
22 Conference now scheduled to take place on November 18, 2011 be
23 continued to either January 20, 27th or February 3, 2012 or as soon thereafter
24 as is convenient for the court.

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1 Respectfully submitted.

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3 Dated: November 11, 2011

THOMAS E. FRANKOVICH, ESQ.
A PROFESSIONAL LAW
CORPORATION

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_____/s/
Attorneys for Plaintiff
CRAIG YATES

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9 Dated: November 11, 2011

SAFEWAY INC.

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_____/s/
STEPHEN Q. ROWELL, ESQ.
Attorneys for Defendant
SAFEWAY INC.

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ORDER

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IT IS SO ORDERED that the Further Case Management Conference
17 scheduled for November 18, 2011 be continued to __ 01/20 __, 2012.

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Dated: 11/14/2011

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Honorable Susan Illston
Judge, United States District Court

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