

1 JON D. UNIVERSAL, SBN 141255
 JOSEPH R. WHEELER, SBN 216721
 2 **UNIVERSAL, SHANNON & WHEELER LLP**
 2240 Douglas Boulevard, Suite 290
 3 Roseville, California 95661
 Telephone: (916) 780-4050
 4 Facsimile: (916) 780-9070

5 Attorneys for Defendant **MERCEDES-BENZ USA, LLC**

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO BRANCH**
 10

11 **DON LAU,**

12 **Plaintiff,**

13 **vs.**

14 **MERCEDES-BENZ USA, LLC, and DOE 1**
 15 **through 10, inclusive,**

16 **Defendants.**

Case No.: CV 11-1940 MEJ

Action Filed: April 21, 2011

**STIPULATION OF THE PARTIES
 SEEKING A CONTINUANCE OF TRIAL**

Complaint Filed: April 21, 2011

Trial Date: July 22, 2013

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 18 **TO THE HONORABLE COURT:**

19 IT IS HEREBY STIPULATED between Plaintiff DON LAU (“Plaintiff”) through his
 20 respective counsel of record, Larry W. Chae of the Bickel Law Firm, Inc. and by Defendant
 21 MERCEDES-BENZ USA, LLC (“Defendant”) by its respective counsel of record Jon D.
 22 Universal of Universal, Shannon & Wheeler, LLP as follows:

- 23 1. This is a “Lemon Law” case brought pursuant to the Song-Beverly Consumer
- 24 Warranty Act, with a five-day trial estimate.
- 25 2. Trial is currently set for July 22, 2013.
- 26 3. The final Pre-Trial Conference in this matter is currently set for July 18, 2013.
- 27 4. The July 22, 2013 trial date was unilaterally set by the court on May 2, 2013.

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1 5. Unfortunately, July 22, 2013 is not a good date for counsel for Plaintiff and
2 counsel for Defendant.

3 6. Counsel for Plaintiff already has another trial scheduled for July 22, 2013.

4 7. Defendant's counsel will be unavailable on July 22, 2013 due to personal reasons,
5 including a pre-planned/scheduled vacation out of the country.

6 8. In an effort to resolve these matters and meaningfully participate in the final Pre-
7 Trial Conference and prepare the matter for trial, the parties have met and conferred and
8 therefore request a continuance of the trial date and the final Pre-Trial Conference date as
9 follows:

10 A. Counsels' availability for trial is November 4, 2013;

11 B. Pre-Trial Conference date approximately two weeks prior to the date set
12 for trial, based on the Court's available calendar.

13 9. Both parties are mindful of the Court's limited resources and busy calendar.
14 However, both parties urge that a continuance is necessary given the relatively short notice of
15 this trial date setting as both counsel will simply not be available.

16
17 DATED: 5/9/2013

THE BICKEL LAW FIRM, INC.

18
19
20 By 

LARRY W. CHAE, ESQ.
Attorneys for Plaintiff DON LAU

21
22 DATED: 5/9/13

UNIVERSAL, SHANNON, & WHEELER LLP

23
24
25 By 

JON D. UNIVERSAL, ESQ
Attorneys for Defendant MERCEDES-BENZ
USA, LLC

5/10/2013

Trial shall be the week of November 4, 2013.
Pretrial Conference October 24, 2013 at
2 10:00 a.m., Courtroom B, 15th Floor.

