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5 Attorneys for Plaintiffs
 DAREN HEATHERLY and
 6 IRMA RAMIREZ

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 DAREN HEATHERLY and IRMA
 RAMIREZ,

11 Plaintiffs,

12 v.

14 24th STREET CHEESE COMPANY; TI
 CHING KUNG, trustee of the TI CHING
 15 KUNG LIVING, dated March 6, 1994; and
 16 CHARLES KUNG, an individual dba 24th
 STREET CHEESE COMPANY,

17 Defendants.
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CASE NO. CV-11-4967-MEJ

**STIPULATION EXTENDING TIME
 FOR DEFENDANTS TO RESPOND
 TO PLAINTIFFS' COMPLAINT;
 EXTENDING THE JOINT SITE
 INSPECTION DEADLINE; AND
 19 ~~PROPOSED~~ ORDER THEREON**

20 Plaintiffs DAREN HEATHERLY and IRMA RAMIREZ, and Defendants TI CHING
 21 KUNG, trustee of the TI CHING KUNG LIVING, dated March 6, 1994; and CHARLES KUNG,
 22 an individual dba 24th STREET CHEESE COMPANY, by and through their respective counsel,
 23 respectfully request and make the following stipulation:

24 1. **Whereas**, defendants TI CHING KUNG, trustee of the TI CHING KUNG
 25 LIVING, dated March 6, 1994; and CHARLES KUNG, an individual dba 24th STREET
 26 CHEESE COMPANY were personally served with the summons and complaint on November
 27 29, 2011, an answer to the complaint is currently due by December 20, 2011;

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1 2. **Whereas**, defendants TI CHING KUNG, trustee of the TI CHING KUNG
2 LIVING, dated March 6, 1994; and CHARLES KUNG, an individual dba 24th STREET
3 CHEESE COMPANY have requested an extension to respond to plaintiffs' complaint;

4 3. **Whereas**, the respective counsel have a history of attempting to and/or settling
5 access case(s) without the need of an answer. Both counsel are hopefully that this case would
6 follow suit;

7 4. **Whereas**, plaintiffs have therefore agreed to grant additional time for defendants
8 TI CHING KUNG, trustee of the TI CHING KUNG LIVING, dated March 6, 1994; and
9 CHARLES KUNG, an individual dba 24th STREET CHEESE COMPANY to answer and/or
10 otherwise respond to their complaint;

11 5. **Whereas**, pursuant to the General Order 56 ¶ 3 & 4, the parties are to have the
12 joint site inspection completed by January 17, 2012;

13 6. **Whereas**, the parties respectfully request that the joint site inspection deadline
14 of the premises be continued from January 17, 2012 to February 3, 2012, in order to try and
15 negotiate a settlement;

16 7. **Whereas**, the parties are currently in negotiation to try and settle the above-
17 referenced case, and wish to reduce fees, costs and litigation expenses in so doing;

18 8. **Whereas**, the parties believe it would be in the interests of efficiency and
19 economy to extend the deadline for defendants TI CHING KUNG, trustee of the TI CHING
20 KUNG LIVING, dated March 6, 1994; and CHARLES KUNG, an individual dba 24th STREET
21 CHEESE COMPANY to respond to the complaint and extend the inspection deadline to allow
22 time to negotiate an agreement; and

23 9. **Whereas**, defendants' counsel further stipulates that defendants TI CHING
24 KUNG, trustee of the TI CHING KUNG LIVING, dated March 6, 1994; and CHARLES KUNG,
25 an individual dba 24th STREET CHEESE COMPANY will comply with any and all due dates
26 dictated by the Federal Rules of Civil Procedure, the Local Rules of Court, and/or any scheduling
27 order issued by this court prior to the date on which defendants' responsive pleading is due.

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1 Dated: December 19, 2011

RAGUNATH K. DINDIAL,
Attorney at Law

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3 By: /s/Ragunath K. Dindial

4 Ragunath K. Dindial

5 Attorneys for Defendants TI CHING KUNG, trustee
6 of the TI CHING KUNG LIVING, dated March 6,
7 1994; and CHARLES KUNG, an individual dba
8 24th STREET CHEESE COMPANY

9 **ORDER**

10 **IT IS SO ORDERED** that the last day for defendants TI CHING KUNG, trustee of the
11 TI CHING KUNG LIVING, dated March 6, 1994; and CHARLES KUNG, an individual dba 24th
12 STREET CHEESE COMPANY, to answer plaintiffs' complaint be extended up to and including
13 February 15, 2012, and the last day for the parties and counsel to conduct the General Order 56,
14 joint site inspection of the premises is continued up to and including February 3, 2012.
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18 Dated: December 20, , 2011


19 HONORABLE MARIA-ELENA JAMES

20 United States Magistrate Judge