

1 ALAN J. GORDEE, SBN 131907
 2 GORDEE, NOWICKI & BLAKENEY LLP
 3 100 Spectrum Center Drive, Suite 870
 4 Irvine, California 92618
 5 Telephone: (949) 567-9923
 6 Facsimile: (949) 567-9928
 7 Email: agordee@gna-law.com

8 Attorneys for Defendant
 9 FULTON MARKET PLACE S.C., LP
 10 (Erroneously sued as FULTON MARKET
 11 PLACE S.C. DBA MAY GARDEN)

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 IRMA RAMIREZ,

15 Plaintiff,

16 vs.

17 FULTON MARKET PLACE S.C. A
 18 DELAWARE LIMITED PARTNERSHIP
 19 DBA MAY GARDEN,

20 Defendants.

Case No.: 3:15-cv-03793-WHA

**JOINT STIPULATION TO DISMISS
 THIRD SEPARATE AND
 ADDITIONAL DEFENSE;
 [PROPOSED] ORDER THEREON**

Action Filed: August 19, 2015
 Trial Date: December 5, 2016

21 Plaintiff Irma Ramirez and Defendant Fulton Market Place S.C., LP by and
 22 through their respective attorneys of record, stipulate as follows:

RECITALS

23 WHEREAS, Defendant has asserted a Third Separate and Additional Defense in
 24 which it “asserts and alleges that any modification to the Property would not be a
 25 reasonable modification to the Property to accommodate Plaintiff’s alleged disability
 26 and is not readily achievable.”
 27
 28

1 WHEREAS, Defendant no longer seeks to assert and allege its third Separate
2 and Additional Defense.

3 WHEREAS, the parties hereby stipulate and agree that the Third Separate and
4 Additional Defense alleged and asserted by Defendant Fulton Market Place S.C., LP
5 shall be and hereby is dismissed.

6 **IT IS SO STIPULATED.**

7 Dated: March 4, 2016

GORDEE, NOWICKI & BLAKENEY LLP

8
9 By: 

Alan J. Gordee

10 Attorneys for Defendant FULTON MARKET
11 PLACE S.C., LP

12
13 Dated: March 4, 2016

THOMAS E. FRANKOVICH, A
PROFESSIONAL LAW CORPORATION

14
15 By: /s/ Thomas E. Frankovich

Thomas E. Frankovich

16 Attorneys for Plaintiff IRMA RAMIREZ
17
18
19

20 **PROPOSED ORDER**

21 **IT IS SO ORDERED.** The Third Separate and Additional Defense alleged and
22 asserted by Defendant Fulton Market Place S.C., LP is hereby dismissed.

23 Dated: March 8, 2016.

24 
25 Honorable William Alsup
26 United States District Judge
27
28