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11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 ALBERT DYTCH,  
 14 Plaintiff,  
 15 vs.  
 16 ENRIQUE ALEJANDRO GUZMAN dba  
 17 LOS DOS HERMANOS, et al.,  
 18 Defendants.

) No. 3:16-cv-06459-MMC  
 )  
 ) **STIPULATION TO CONTINUE LAST**  
 ) **DATE TO MEET AND CONFER UNDER**  
 ) **GENERAL ORDER 56 AND RELATED**  
 ) **DATE; ~~PROPOSED~~ ORDER**  
 )  
 )  
 )  
 )  
 )

19 WHEREAS, on November 4, 2016, the Court issued a Scheduling Order for Cases  
 20 Asserting Denial of Right of Access under the Americans with Disabilities Act (Dkt. 4) (“the  
 21 Scheduling Order”);

22 WHEREAS, the joint site inspection required pursuant to General Order 56 and the  
 23 Scheduling Order took place on December 19, 2016;

24 WHEREAS, the Scheduling Order requires that the parties, and their counsel, meet and  
 25 confer in person no later than 28 days after the joint site inspection, here, January 16, 2017;

26 WHEREAS, it is Plaintiff’s position that the December 19, 2016 joint site inspection  
 27 did not meet the in-person meet and confer requirement of General Order 56 as Plaintiff  
 28 himself was not present. Plaintiff has now provided Defendants a list of all conditions he

STIPULATION TO CONTINUE LAST DATE TO MEET AND CONFER UNDER GENERAL ORDER 56  
 AND RELATED DATE; ~~PROPOSED~~ ORDER

1 asserts are non-compliant at the subject property and for which he seeks injunctive relief, as  
2 well as his proposed non-monetary terms of settlement. The parties are working together to  
3 resolve any questions or disputes and, once the injunctive relief has been tentatively agreed  
4 upon, Plaintiff will promptly provide his monetary demand as required by General Order 56.

5 WHEREAS, defense counsel asserts that the meet and confer obligation was met as her  
6 clients and CASP consultant attended and met with Plaintiffs' counsel and CASP consultant.  
7 Defendants do not agree that a second in person meet and confer is necessary. Defense counsel  
8 asserts that since the consultants and parties are currently negotiating the resolution of the  
9 repair items to obviate the need for an action; it is unnecessary to hold a second meet and  
10 confer especially here where Plaintiff's counsel is not prepared to provide defendants with a  
11 monetary demand.

12 WHEREAS, the parties have agreed that the meet and confer may take place on  
13 February 28, 2017 at 11:00 a.m. or a stipulated date agreed upon by the parties on or before  
14 March 17, 2017 in the event the meet and confer cannot take place as currently scheduled (to  
15 avoid the filing of repeated stipulations which wastes the parties' resource, and more  
16 importantly, the court's time);

17 NOW, THEREFORE, it is hereby stipulated by and between Plaintiff, Albert Dytch,  
18 and Defendants, Enrique Alejandro Guzman dba Los Dos Hermanos, Luz Maria Guzman dba  
19 Los Dos Hermanos, and Alicia Guzman through their respective counsel, that the meet and  
20 confer required under General Order 56 and this Court's Scheduling Order take place on  
21 February 28, 2017 at 11:00 a.m., or a stipulated date agreed upon the parties on or before  
22 March 17, 2017.

23 IT IS FURTHER STIPULATED that if a settlement of the matter is not reached at the  
24 meet and confer, that Plaintiff shall file a Notice of Need for Mediation within 14 days of the  
25 meet and confer.

26 IT IS SO STIPULATED.  
27  
28

STIPULATION TO CONTINUE LAST DATE TO MEET AND CONFER UNDER GENERAL ORDER 56  
AND RELATED DATE; ~~PROPOSED~~ ORDER

1 Dated: January 17, 2017

MISSION LAW FIRM, A.P.C.

2  
3 /s/ Tanya E. Moore

4 Tanya E. Moore  
Attorneys for Plaintiff,  
5 Albert Dytch

6 Dated: January 17, 2017

GHANTOUS LAW CORPORATION

7  
8 /s/ Karyne T. Ghantous

9 Karyne T. Ghantous  
Attorneys for Defendants,  
10 Enrique Alejandro Guzman dba Los Dos  
Hermanos, Luz Maria Guzman dba Los Dos  
11 Hermanos, and Alicia Guzman

12 **ATTESTATION**

13 Concurrence in the filing of this document has been obtained from each of the individual(s)  
14 whose electronic signature is attributed above.

15 /s/ Tanya E. Moore

16 Tanya E. Moore  
Attorneys for Plaintiff  
17 Albert Dytch

18 **ORDER**

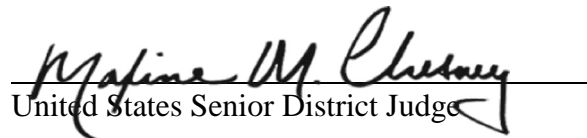
19 The parties having so stipulated and good cause appearing,

20 **IT IS HEREBY ORDERED** that the in person meet and confer required by this  
21 Court's Scheduling Order and General Order 56 shall take place no later than March 17, 2017.

22 **IT IS FURTHER ORDERED** that if the parties are unable to reach a settlement of  
23 this matter at the in person meet and confer, Plaintiff shall file a Notice of Need for Mediation  
24 within 14 days of the meet and confer.

25 **IT IS SO ORDERED.**

26  
27 Dated: January 18, 2017

28   
United States Senior District Judge

STIPULATION TO CONTINUE LAST DATE TO MEET AND CONFER UNDER GENERAL ORDER 56  
AND RELATED DATE; ~~PROPOSED~~ ORDER