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5 Attorneys for Plaintiff
 PESTMASTER FRANCHISE
 6 NETWORK, INC.

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 PESTMASTER FRANCHISE
 NETWORK, INC., a California
 12 corporation,
 Plaintiff,

13 v.

14 JINNY LYNN MATA, GABE
 15 JOSEPH MATA, ECOSOURCE
 PEST CONTROL, INC., JOSIE
 16 MOSS, BRIAN MOSS, AAAC
 SUPPORT SERVICES, LLC, *aka A*
 17 ALL ANIMAL CONTROL, MOSS
 PEST CONTROL, LLC,

18 Defendants.
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Case No. 16-cv-07268-EMC

**STIPULATION FOR CONTINUANCE
 OF CASE MANAGEMENT
 CONFERENCE AND STAY, AND
 [PROPOSED] ORDER**

20 Plaintiff Pestmaster Franchise Network, Inc., by and through its attorneys of
 21 record, and Defendants Jinny Mata, Gabe Mata, Ecosource Pest Control, Inc., Josie
 22 Moss, Brian Moss, AAAC Support Services, LLC, and Moss Pest Control, LLC, by
 23 and through their attorneys of record, hereby stipulate, as follows:

1 WHEREAS, the Plaintiff is a franchisor of pest control businesses;

2 WHEREAS, Defendants Jinny Mata and Gabe Mata were the franchisees of
3 the Plaintiff and operated two Pestmaster franchise locations in the Houston, Texas
4 area;

5 WHEREAS, Defendant Ecosource Pest Control, Inc. is a Texas corporation,
6 owned by Jinny and Gabe Mata, and they contend the corporation owned the tangible
7 assets related to the Matas' franchised business;

8 WHEREAS, Defendants Jinny Mata, Gabe Mata and Ecosource Pest Control,
9 Inc. are sometimes referred to as the "Mata Defendants";

10 WHEREAS, the First Amended Complaint alleges that the Mata Defendants
11 breached the two franchise agreements by, among other things, terminating the two
12 franchises;

13 WHEREAS, the Mata Defendants deny that they have breached the franchise
14 agreements in any respect;

15 WHEREAS, the First Amended Complaint alleges that Defendants Josie Moss,
16 Brian Moss, and Moss Pest Control, LLC (collectively the "Moss Defendants") and
17 Defendant AAAC Support Services, LLC ("AAAC") conspired with the Mata
18 Defendants to breach the two franchise agreements with the Plaintiff;

19 WHEREAS, the Moss Defendants and AAAC deny the conspiracy and other
20 claims alleged against them in the First Amended Complaint;

21 WHEREAS, AAAC has filed a Rule 12(b)(2) motion to dismiss for lack of
22 personal jurisdiction and for improper venue and a motion to change venue, the
23 motions were heard on March 23, 2017, and a decision on the motions is pending;

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1 WHEREAS, Josie Moss, Brian Moss and Moss Pest Control, LLC intend to
2 file similar Rule 12(b)(2) motions to dismiss for lack of personal jurisdiction and for
3 improper venue and a motion to change venue;

4 WHEREAS, both the Moss Defendants and AAAC deny that this Court has
5 personal jurisdiction and further contend that venue is improper as to each of them in
6 this case, and they do not waive such jurisdictional and venue objections by entering
7 into this stipulation, and file this stipulation subject thereto;

8 WHEREAS, counsel for the Plaintiff and counsel for the Defendants are
9 currently discussing the potential for settlement of all of the claims among all of the
10 parties in the case;

11 WHEREAS, counsel for the Plaintiff and counsel for the Defendants are also
12 discussing other ADR options, such as the referral of all or some of the claims at
13 issue in the First Amended Complaint, against some of the Defendants, to the
14 American Arbitration Association for binding arbitration; and

15 WHEREFORE, in light of the foregoing, the parties hereby stipulate to the
16 Court's entry of an order providing as follows:.

17 1. That the Case Management Conference currently set for April 24, 2017
18 at 9:30 a.m. be continued to May 18, 2017 at 9:30 a.m.

19 2. That the date for the Mata Defendants and the Moss Defendants to file a
20 responsive pleading to the First Amended Complaint be continued to May 18, 2017.

21 3. That the case be stayed until the May 18, 2017 Case Management
22 Conference, during which time the parties will have additional time to attempt to
23 reach a stipulation regarding (i) a global mediation involving all of the claims and all
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1 of the parties in this case, or (ii) the reference of all or some of the claims at issue to
2 binding arbitration at AAA.

3 4. AAAC and the Moss Defendants do not waive their personal jurisdiction
4 and venue objections by entering into this stipulation.

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6 DATED: April 18, 2017

RINCON LAW LLP

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By: /s/Jeffrey L. Fillerup

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Jeffrey L. Fillerup
Attorneys for Plaintiff Pestmaster Franchise
Network, Inc.

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11 DATED: April 18, 2017

NASSIRI & JUNG LLP

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By: /s/Andrew R. Kislik

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Andrew R. Kislik
Attorneys for Defendants Jinny Lynn Mata,
Gabe Joseph Mata, Ecosource Pest Control,
Inc., Josie Moss, Brian Moss, Moss Pest
Control, LLC, and AAAC Support Services,
LLC

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ORDER

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20 Based on the foregoing stipulation, and for good cause appearing, IT IS
HEREBY ORDERED, as follows:

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22 1. The Case Management Conference currently set for April 24, 2017 is
taken off calendar, and the Case Management Conference is re-scheduled to May ²⁵18,
23 2017 at 9:30 a.m.

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1 2. The date for the Mata Defendants and the Moss Defendants to file a
2 responsive pleading to the First Amended Complaint (including any Rule 12(b)
3 motion) is continued to May ²⁵~~18~~, 2017.

4 3. The case is stayed until the May 18, 2017 Case Management Conference,
5 during which time the parties will have additional time to try to stipulate to: (i) a
6 global mediation involving all of the claims and all of the parties in this case and/or
7 (ii) the reference of all or some of the claims, against some of the parties, at issue in
8 the case to binding arbitration at AAA.

9 4. AAAC and the Moss Defendants do not waive their personal jurisdiction
10 and venue objections by entering into this stipulation regarding a possible mediation
11 and/or arbitration.

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13 DATED: 4/20/17

