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

13 FRANCISCA MORALEZ,
 14 Plaintiff,
 15 vs.
 16 DAVID & ESPERANZA CHAVEZ FAMILY
 17 LIMITED PARTNERSHIP dba CHAVEZ
 18 SUPERMARKET, et al.,
 19 Defendants.

) No. 3:17-cv-03918-JST
)
) **STIPULATION TO EXTEND DEADLINE**
) **TO COMPLETE JOINT SITE**
) **INSPECTION REQUIRED BY GENERAL**
) **ORDER 56; [~~PROPOSED~~] ORDER**

1 **STIPULATION**

2 Plaintiff, Francisca Moralez (“Plaintiff”), and Defendants, David & Esperanza Chavez
3 Family Limited Partnership dba Chavez Supermarket; Chavez Supermarket Holding Corp. dba
4 Chavez Supermarket; John E. McNellis, Trustee of the McNellis Family Trust u/a dated
5 October 6, 1993; Michele R. McNellis, Trustee of the McNellis Family Trust u/a dated October
6 6, 1993; and Michael S. Powers, Trustee of the Erik Ragnar McNellis Trust dated December 1,
7 2012, as Trustee of the Jamie Taylor McNellis Trust dated December 1, 2012, as Trustee of the
8 Jennifer Dalton McNellis Trust dated December 1, 2012, and as Trustee of the Courtney Blaine
9 McNellis Trust dated December 1, 2012 (collectively “Defendants,” and together with Plaintiff,
10 “the Parties”), by and through their respective counsel, hereby stipulate as follows:

11 **WHEREAS**, this action arises out of the Plaintiff’s claims that Defendants denied her
12 full and equal access to their public accommodation on account of her disabilities in violation
13 of Title III of the Americans with Disabilities Act (“ADA”) and parallel California law.
14 Plaintiff seeks injunctive relief under federal and California law, as well as damages under
15 California law. This matter therefore proceeds under this district’s General Order 56 which
16 governs ADA access matters;

17 **WHEREAS**, on October 25, 2017, the Court granted the Parties’ stipulation to extend
18 the deadline to complete the joint site inspection of the subject property as required by General
19 Order 56 until November 21, 2017 (Dkt. 23);

20 **WHEREAS**, the Parties are engaging in settlement discussions, have reached a tentative
21 agreement on injunctive relief, and wish to avoid incurring additional attorney’s fees and costs
22 incident to attending the joint site inspection while settlement efforts are being exhausted;

23 **WHEREAS**, the Parties have agreed to conduct the joint site inspection on December
24 12 at 9:30 a.m. unless the matter fully settles by that time;

25 **NOW, THEREFORE**, the Parties stipulate to extend the deadline to conduct the joint
26 site inspection required by General Order 56 and this Court’s Scheduling Order to December
27 12, 2017, with all dates triggered by that deadline continued accordingly, subject to the Parties’
28 reservation to further modify the date if necessary.

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IT IS SO STIPULATED.

Dated: November 22, 2017 MISSION LAW FIRM, A.P.C.

/s/ Tanya E. Moore
Tanya E. Moore
Attorneys for Plaintiff,
Francisca Moralez

Dated: November 22, 2017 HOPKINS & CARLEY

/s/ Shirley E. Jackson
Shirley E. Jackson
Attorneys for Defendants,
David & Esperanza Chavez Family Limited Partnership
dba Chavez Supermarket; Chavez Supermarket Holding
Corp. dba Chavez Supermarket; John E. McNellis, Trustee
of the McNellis Family Trust u/a dated October 6, 1993;
Michele R. McNellis, Trustee of the McNellis Family
Trust u/a dated October 6, 1993; and Michael S. Powers,
Trustee of the Erik Ragnar McNellis Trust dated
December 1, 2012, as Trustee of the Jamie Taylor
McNellis Trust dated December 1, 2012, as Trustee of the
Jennifer Dalton McNellis Trust dated December 1, 2012,
and as Trustee of the Courtney Blaine McNellis Trust
dated December 1, 2012

ATTESTATION

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

/s/ Tanya E. Moore
Tanya E. Moore
Attorneys for Plaintiff
Francisca Moralez

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ORDER

The Parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that the deadline for the Parties to complete the joint site inspection required by General Order 56 and this Court's Scheduling Order is extended to December 12, 2017, with all dates triggered by that deadline continued accordingly.

IT IS SO ORDERED.

Dated: November 27, 2017



HON. JON S. TIGAR
United States District Judge