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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 October 6,
5 1993; Michele R. McNellis, Trustee of the McNellis Family Trust u/a dated October 6, 1993; and
6 Michael S. Powers, Trustee of the Erik Ragnar McNellis Trust dated December 1, 2012, as Trustee
7 of the Jamie Taylor McNellis Trust dated December 1, 2012, as Trustee of the Jennifer Dalton
8 McNellis Trust dated December 1, 2012, and as Trustee of the Courtney Blaine McNellis Trust
9 dated December 1, 2012 (collectively “Defendants,” and together with Plaintiff, “the Parties”), by
10 and through their respective counsel, hereby stipulate as follows:

11 **WHEREAS**, this action arises out of the claims of Plaintiff’s claims that Defendants
12 denied her full and equal access to their public accommodation on account of her disabilities in
13 violation of Title III of the Americans with Disabilities Act (“ADA”) and parallel California
14 law. 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 had agreed to conduct the joint site inspection on December 12
21 at 9:30 a.m. unless the matter fully settles by that time;

22 **WHEREAS**, because the Parties have reached settlement agreement (both injunctive
23 relief and monetary damages) and are in the process of circulating the written settlement
24 agreement for signatures, the Parties wish to avoid incurring additional and unnecessary
25 attorney’s fees and costs incident to attending the joint site inspection;

26 **WHEREAS**, the Parties have agreed to reschedule the joint site inspection to January
27 11, 2018 at 2:00 p.m.;

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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 January 16, 2018, with all dates triggered by that deadline continued accordingly.

IT IS SO ORDERED.

Dated: December 12, 2017



HON JON S. TIGARD
United States District Judge