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7 Attorney for Plaintiff  
8 FRANCISCA MORALEZ

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

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13 FRANCISCA MORALEZ,

Case No. 4:15-cv-02759-KAW

14  
15 PLAINTIFF,

**STIPULATION AND ~~PROPOSED~~  
ORDER TO RESET CASE  
MANAGEMENT CONFERENCE TO  
SEPTEMBER 20, 2016**

16 v.

17  
18 CIRCLE A FOODMART AND GAS, et al.

19  
20 DEFENDANTS.

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22 IT IS HEREBY STIPULATED AND REQUESTED by and between Plaintiff, FRANCISCA  
23 MORALEZ, through her attorney of record Russell S. Humphrey ("Plaintiff"), and Defendant  
24 CIRCLE A FOODMART AND GAS and GURNATH SINGH, through their attorney of record  
25 Michael Welch, ("Defendant"), that the currently set Case Management Conference on November  
26 14, 2016 be vacated and continued to January 17, 2017.  
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1 This stipulation is necessary because Plaintiff's attorney Russell S. Humphrey has a  
2 scheduling conflict that cannot be reconciled on November 14, 2016. Attorney Russell S. Humphrey  
3 is currently in a jury trial in the San Joaquin County Superior Court before the Honorable Seth Hoyt.  
4 The charges are two counts of California Penal Code Section 187.  
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6  
7 Dated: November 14, 2016  
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9  
10 /s/ Russell S. Humphrey

11 By: RUSSELL S. HUMPRHEY  
12 Attorney for PLAINTIFF  
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14 /s/ Michael Welch

15 By: MICHAEL WELCH  
16 Attorney for DEFENDANTS  
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8 FRANCISCA MORALEZ

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

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13 FRANCISCA MORALEZ,

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15 PLAINTIFF,

16 v.

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18 CIRCLE A FOODMART AND GAS, et al.

19  
20 DEFENDANTS.

Case No. 4:15-cv-02759-KAW

**DECLARATION OF ATTORNEY  
RUSSELL S. HUMPHREY IN  
SUPPORT OF STIPULATION TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE**

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22  
23 **Declaration of Plaintiff's Attorney Russell S. Humphrey in Support of Stipulation**

- 24 1. I, Russell S. Humphrey, am an attorney duly licensed to practice law in the  
25 highest state court in the state of California and the Northern District of California Federal  
26 District Court.  
27 2. I am the attorney of record for Plaintiff Francisca Moralez in the case of Moralez  
28 v. Circle A Foodmart and Gas, et al., case number 3:15-cv-2759.

1           3.           There is a Case Management Conference currently set for November 15, 2016 at  
2           1:30 before the Honorable Kandis A. Westmore.

3           4.           I am unavailable to attend the Case Management Conference due to a conflict. I  
4           am currently in a jury trial before the Honorable Seth Hoyt in Department 21 of the San  
5           Joaquin County Superior Court.  
6

7           5.           The charges are two counts California Penal Code Section 187, Murder.

8           6.           On Tuesday, November 15, 2016 I will be in jury selection.

9           7.           I have met and conferred with co counsel and he is agreeable with the  
10          continuance.  
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14       Dated: November 14, 2016

/s/ Russell S. Humphrey  
Attorney for Plaintiff

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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12 FRANCISCA MORALES,  
13 Plaintiff,

14 vs.

15 CIRCLE A FOODMART AND GAS, et al.,  
16 Defendants.  
17  
18

Case No.: 3:15-cv-02759-KAW

**~~[PROPOSED]~~ ORDER**

19  
20 Good cause being found, the court orders the currently set Case Management  
21 Conference be vacated and continued to January 17, 2017 at 1:30 p.m. in Courtroom 4 before  
22 the Honorable Kandis A. Westmore.  
23

24 **IT IS SO ORDERED.**  
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26  
27  
28

[PROPOSED] ORDER

DATED: 11/14/16

Kandis Westmore  
HONORABLE KANDIS A. WESTMORE  
MAGISTRATE JUDGE

[PROPOSED] ORDER