1 2 3 4 5	SHEPPARD, MULLIN, RICHTER & HA A Limited Liability Partnership Including Professional Corporations GREGORY F. HURLEY, Cal. Bar No. 12 ghurley@sheppardmullin.com 650 Town Center Drive, 4th Floor Costa Mesa, California 92626-1993 Telephone: 714.513.5100 Facsimile: 714.513.5130	AMPTON LLP 26791
6 7 8 9 10	SHEPPARD, MULLIN, RICHTER & HA A Limited Liability Partnership Including Professional Corporations HAYLEY S. GRUNVALD, Cal. Bar No. hgrunvald@sheppardmullin.com 12275 El Camino Real, Suite 200 San Diego, CA 92130-2006 Telephone: 858.720.8900 Facsimile: 858.509.3691	
11	Attorneys for Defendant HOME DEPOT U.S.A., INC.	
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13		DISTRICT COURT
14	NORTHERN DISTRI	ICT OF CALIFORNIA
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16	ALBERT DYTCH,	Case No. 4:16:cv-02049-HSG
17	Plaintiff,	STIPULATION TO CONTINUE HEARING AND BRIEFING
18	v.	SCHEDULE ON PLAINTIFF'S MOTION FOR LEAVE TO FILE
19	HOME DEPOT U.S.A., INC., dba HOME DEPOT #627; EAST BAY BRIDGE	AMENDED COMPLAINT; ORDER
20	RETAIL, LLC;	Current Hearing Date: April 6, 2017 Proposed Hearing Date: April 20, 2017
21	Defendants.	rioposed meaning Date. April 20, 2017
22		Proposed Opposition Deadline:
23		March 20, 2017
24		Proposed Reply Deadline:
25		March 27, 2017
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28		Case No. 4:16-cv-02049-HSG
		CONTINUE HEARING AND BRIEFING SCHEDULE ON EAVE TO FILE AMENDED COMPLAINT; <mark>[PROPOSED]</mark> ORDER Dockets.Justia.com

The undersigned parties bring this joint stipulation to respectfully
 request that this Court continue the hearing on Plaintiff Albert Dytch's ("Plaintiff")
 Motion for Leave to File an Amended Complaint (the "Motion"), presently set for
 April 6, 2017, at 2:00 p.m.

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6 Plaintiff and Defendant Home U.S.A., Inc. ("Defendant") represent that 7 good cause exists for this continuance. On March 10, 2017, the Parties resolved the 8 action but the Parties are working to finalize the settlement documents. To avoid 9 prejudicing Plaintiff in his ability to move to amend his complaint should the Parties 10 not be able to finalize the settlement documents, both counsel for Defendant and 11 Plaintiff, have agreed to continue the hearing date on Plaintiff's Motion to April 20, 2017. This continuance will allow the Parties time to finalize the settlement 12 13 documents without waste the Court's time and resources in evaluating Plaintiff's 14 Motion which will likely become moot. In light of the proposed change of the 15 hearing date, the Parties request that the deadline for Defendant to file its opposition 16 brief be extended to March 20, 2017, and the deadline for Plaintiff's reply brief 17 extended to March 27, 2017. The change of hearing date and briefing schedule will 18 not affect the dates currently set in the case.

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Plaintiff and Defendant have met and conferred about this issue and
have agreed to continue the hearing date and briefing schedule on the Motion to
April 20, 2017. Both Parties believe that the change in the hearing date will allow
the Parties to focus on fully and finally settling the matter and avoid wasting the
Court's already burdened resources.

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1	WHEREFORE, the parties jointly and respectfully request that this	
2	Court continue the hearing date on the Motion from April 6, 2017 to April 20, 2017,	
3	and that any opposition be filed by March 20, 2017, with any reply filed by March	
4	27, 2017.	
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6	IT IS SO STIPULATED.	
7	Dated: March 10,, 2017	
8	MISSION LAW FIRM, A.P.C.	
9		
10	By/s/ Tanya E. Moore	
11	TANYA E. MOORE Attorney for Plaintiff ALBERT DYTCH	
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13	Dated: March 10, 2017	
14	SHEPPARD, MULLIN, RICHTER &	
15	HAMPTON LLP	
16		
17	By <u>/s/ Hayley S. Grunvald</u> GREGORY F. HURLEY	
18	HAYLEY S. GRUNVALD	
19	Attorneys for Defendant HOME DEPOT	
20	U.S.A., INC	
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28	-2- Case No. 4:16-cv-02049-HSG SMRH:481746667.2 STIPULATION TO CONTINUE HEARING AND BRIEFING SCHEDULE ON	
	PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT; [PROPOSED] ORDER	

1 2	ORDER	
3	The parties having so stipulated and good cause appearing,	
4	IT IS HEREBY ORDERED that the April 6, 2017 hearing on Plaintiff's	
5	motion to amend his complaint is continue to April 20, 2017 at 2:00 p.m.	
6	Defendant's opposition will be due by March 20, 2017, and Plaintiff's reply will be	
7	due by March 27, 2017.	
8	IT IS SO ORDERED.	
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10	DATED: March 13, 2017	
11	Haywood S. Gill J.	
12	HON. HAYWOOD S. GILLÍAM, JR. UNITED STATES DISTRICT JUDGE	
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28	-1- Case No. 4:16-cv-02049-HSG	
	-1- Case No. 4:16-cv-02049-HSG SMRH:481746667.2 STIPULATION TO CONTINUE HEARING AND BRIEFING SCHEDULE ON PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT; [PROPOSED] ORDER	