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Attorneys for Defendant and Cross-Claimant
 1600 SHATTUCK ASSOCIATES, L.P.
 (erroneously sued as 1600 Shattuck Associates,
 a General Partnership)

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 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 FRANCISCA MORALEZ,
 17 Plaintiff,
 18 v.
 19 PHILZ COFFEE, INC.; 1600 SHATTUCK
 ASSOCIATES, a General Partnership,
 20 Defendants.
 21

Case No. 4:16-cv-07102-HSG

**STIPULATION AND ORDER TO
 CONTINUE BRIEFING SCHEDULE
 AND HEARING ON CROSS-
 DEFENDANT PHILZ COFFEE, INC.'S
 ANTICIPATED MOTION FOR
 JUDGMENT ON THE PLEADINGS
 BECAUSE OF TENTATIVE
 SETTLEMENT OF CROSS-CLAIM**

Complaint Filed: December 13, 2016
 Cross-Claim Filed: October 20, 2017
 Trial Date: None Set

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 24 1600 SHATTUCK ASSOCIATES, L.P.,
 25 Cross-Claimant,
 26 v.
 27 PHILZ COFFEE, INC.,
 28 Cross-Defendant.

1 Plaintiff Francisca Moralez (“Plaintiff”), Defendant and Cross-Claimant 1600 Shattuck
2 Associates, L.P. (“1600 Shattuck”), and Cross-Defendant Philz Coffee, Inc. (“Philz”), by and
3 through their respective attorneys of record, hereby stipulate as follows:

4 1. The hearing on Philz’s Motion for Judgment on the Pleadings related to the Cross-
5 Claim filed by 1600 Shattuck against Philz (“Motion”) is scheduled for hearing by the Court on
6 December 15, 2017. (ECF No. 60.) Pursuant to the Court’s November 8, 2017 Minute Order, the
7 parties were required by the Court to meet and confer regarding an expedited briefing schedule
8 for the Motion. (*Id.*) The parties stipulated to and the Court entered an order setting forth the
9 briefing schedule:

- 10 • **Deadline to file Motion:** November 27, 2017
- 11 • **Deadline to file Opposition to Motion:** December 7, 2017
- 12 • **Deadline to file Reply to Motion:** December 11, 2017

13 (ECF No. 64.)

14 2. 1600 Shattuck and Philz have reached a tentative settlement to resolve
15 1600 Shattuck’s Cross-Claim against Philz (ECF No. 50). Settlement of the Cross-Claim would
16 result in Philz no longer being any part of the above-referenced matter, and Philz’s anticipated
17 Motion would be moot. Given the upcoming Thanksgiving holiday and Philz’s inspection of
18 1600 Shattuck’s attorneys’ redacted billing records, a condition of the tentative settlement, the
19 parties anticipate that it will take at least two weeks to finalize the settlement and memorialize it
20 in a written agreement.

21 3. 1600 Shattuck and Philz therefore request that the Court continue the hearing for
22 Philz’s Motion until mid-January 2018 to allow the parties to settle the Cross-Claim. If 1600
23 Shattuck and Philz are unable to settle the Cross-Claim by December 22, 2017, they will meet
24 and confer and file by that date a stipulation and proposed order establishing a briefing schedule
25 on the Motion.

26 **IT IS SO STIPULATED.**

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1 Dated: November 22, 2017

MISSION LAW FIRM, A.P.C.

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By: s/Zachary M. Best
Zachary M. Best
Attorneys for Plaintiff
FRANCISCA MORALEZ

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6 Dated: November 22, 2017

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

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By: s/Allison L. Shralow
Charles D. Jarrell
Allison L. Shralow
Attorneys for Defendant and Cross-Claimant
1600 SHATTUCK ASSOCIATES, L.P.
(erroneously sued as 1600 Shattuck
Associates, a General Partnership)

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12 Dated: November 22, 2017

JACKSON LEWIS P.C.

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By: s/Jamerson C. Allen
Jamerson C. Allen
Janelle J. Sahouria
Attorneys for Cross-Defendant
PHILZ COFFEE, INC.

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ORDER

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The Parties having so stipulated and good cause appearing, it is hereby ORDERED as follows:

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1. The hearing for Cross-Defendant Philz, Inc.'s Motion for Judgment on the Pleadings ("Motion") is continued from December 15, 2017 until January 18, 2018.

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2. Cross-Claimant and Defendant 1600 Shattuck Associates, L.P. and Cross-Defendant Philz,'s Inc. will meet and confer and file by December 22, 2017 a stipulation establishing briefing schedule if they are unable to finalize their tentative settlement of the Cross-Claim prior to that date.

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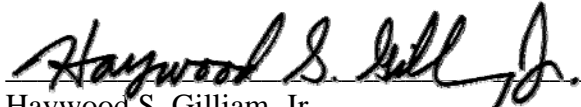
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IT IS SO ORDERED.

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Dated: November 27, 2017


Haywood S. Gilliam, Jr.
United States District Judge

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