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17 Attorneys for Defendant Canyon Lakes  
 18 Golf Course and Brewery LLC

19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA

16 ABDUL NEVAREZ,	)	Case No. 4:17-cv-03247-KAW
	)	
17 Plaintiff,	)	<u>Civil Rights</u>
	)	
18 v.	)	<b>STIPULATION AND [PROPOSED]</b>
	)	<b>ORDER REGARDING BRIEFING</b>
	)	<b>SCHEDULE ON DEFENDANT’S</b>
19 CANYON LAKES GOLF COURSE AND	)	<b>MOTION TO DISMISS AND</b>
20 BREWERY LLC and DOES 1-10, Inclusive,	)	<b>DECLARATION OF CATHERINE</b>
	)	<b>CABALO IN SUPPORT THEREOF</b>
21 Defendants.	)	
	)	

22 **STIPULATION**

23 **WHEREAS**, on June 6, 2017, Plaintiff Abdul Nevarez (“Plaintiff”) filed his Complaint  
 24 in the above-captioned matter and named as defendant Canyon Lakes Golf Course and Brewery  
 25 LLC (“Defendant”) and Does 1-10, Inclusive;  
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27 **WHEREAS**, on September 11, 2017, Defendant filed its Notice and Motion to Dismiss;  
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**WHEREAS**, the parties have agreed to meet and confer regarding the arguments and authorities raised in Defendant’s pending motion so as to determine if they any have areas of agreement that would narrow any issues to be decided by this Court regarding the pleadings;

**WHEREAS**, Defendant’s motion is set to be heard by this Court on November 16, 2017, Plaintiff’s opposition papers are presently due on September 25, 2017, and Defendant’s reply is due on October 2, 2017, but the parties have agreed that Plaintiff needs more time for the reasons set forth above, and Defendant requires two weeks to prepare its reply papers;

**NOW, THEREFORE**, Plaintiff and Defendant, by and through their counsel of record and subject to Court approval, hereby stipulate that:

1. Plaintiff shall file his response to Defendant’s Motion to Dismiss on or before October 10, 2017; and

2. Defendant shall file its reply in support of its Motion to Dismiss on or before October 24, 2017.

The e-filing attorney hereby attests that she retains on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/s/) within this e-filed document.

**IT IS SO STIPULATED.**

Dated: September 18, 2017                            PEIFFER ROSCA WOLF ABDULLAH CARR & KANE

s/ Catherine Cabalo  
BY: CATHERINE CABALO  
Attorneys for Plaintiff  
ABDUL NEVAREZ

Dated: September 18, 2017                            ERICKSEN ARBUTHNOT

s/ Andrew J. Kozlow  
BY: ANDREW J. KOZLOW  
Attorneys for Defendant  
CANYON LAKES GOLF COURSE & BREWERY LLC

1  
2 **ORDER**

3 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

4 DATED: 9/19, 2017

5   
6 THE HONORABLE KANDIS A. WESTMORE  
7 UNITED STATES MAGISTRATE JUDGE

8 **DECLARATION OF CATHERINE CABALO**

9 I, Catherine Cabalo, hereby declare as follows:

10 1. I am Of Counsel at the law firm of Peiffer Rosca Wolf Abdullah Carr & Kane  
11 (“PRW”) and am admitted to practice before this Court. I submit this Declaration in support of  
12 the parties’ Stipulation Regarding Briefing Schedule. I make this Declaration on personal  
13 knowledge and, if called as a witness, would testify competently to such facts under oath.  
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15 2. I hereby state that the parties agree that this requested time modification should  
16 have no deleterious effect on the schedule for the case, given that this case is in the early stages  
17 of litigation.  
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19 3. Moreover, there is good cause to allow the parties the additional time requested,  
20 because the additional time will permit Plaintiff’s counsel to analyze Defendant’s motion and to  
21 meet and confer with Defendant’s counsel regarding any potential areas of agreement that can be  
22 addressed by the filing of an amended pleading, thus narrowing the issues to be decided by this  
23 Court in connection with Defendant’s pending Motion to Dismiss.  
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25 I declare under penalty of perjury under the laws of the United States of America that the  
26 foregoing is true and correct. Executed on September 18, 2017 in San Francisco, California.

27 s/ Catherine Cabalo  
28 CATHERINE CABALO