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15 UNITED STATES DISTRICT COURT FOR THE
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 -----
19 DIRECTV, Inc., a California corporation,

20 Plaintiff,

21 -against-

22 ANH THU XUAN PHAM, Individually, and as
23 officer, director, shareholder, and/or principal of ANH
24 THU RESTAURANT, INC., d/b/a ANH THU
25 RESTAURANT,

26 and

27 ANH THU RESTAURANT, INC., d/b/a
28 ANH THU RESTAURANT,
29 Defendants.

30 **CONSENT MOTION FOR**
31 **CONTINUANCE**

32 Civil Action No.5:10-CV-04142-PVT

33 -----
34 Comes now Plaintiff, DIRECTV, Inc., through counsel, and respectfully moves
35 this Court for a continuance of the November 23, 2010, Initial Case Management
36 Conference, the corresponding case management deadlines and all ADR deadlines, for
37
38

1 forty-five (45) days, from November 23, 2010. In support thereof, Plaintiff states as
2 follows:

3 1. Plaintiff commenced this action on or about September 15, 2010.

4 2. Plaintiff received the issued Summons from the Court in this matter and
5 forwarded same to process server on or about September 29, 2010, to effect service upon
6 the Defendants.
7

8 3. The Defendants ANH THU XUAN PHAM, Individually, and as officer,
9 director, shareholder, and/or principal of ANH THU RESTAURANT, INC., d/b/a ANH
10 THU RESTAURANT, and ANH THU RESTAURANT, INC., d/b/a ANH THU
11 RESTAURANT, were served with the Complaint and Summons on October 4, 2010, as
12 set forth in the proofs of service filed on October 26, 2010, ECF Nos. 8 and 9.
13

14 4. On or about October 7, 2010, Plaintiff received from Defendant's counsel
15 Scott L. Woodall, a request for an Extension of Time to Answer.
16

17 5. The parties filed a Stipulation for Extension of Time to Answer on October
18 26, 2010, via ECF # 10, and the Court approved same, on October 27, 2010, ECF # 11.

19 6. Pursuant to the Stipulation, the Parties are to confer and submit the
20 requisite Case Management Report within 14 days of the Defendant's Answer.
21

22 7. Plaintiff respectfully requests a continuance of the November 23, 2010,
23 Initial Case Management Conference for 45 days, in order for the Defendant's Answer to
24 be filed and to allow the parties to confer.

25 8. Additionally, Plaintiff requests that the ADR deadlines set forth
26 in the Court's Order, ECF # 7, be likewise continued, so the parties may comply with the
27 Court's directive in a timely manner.
28

1 Plaintiff has conferred with counsel for the Defendants, Scott Woodall, Esq., who
2 indicated that Defendants consent to Plaintiff's request to Continue the November 23,
3 2010 Conference. No party would be prejudiced in the granting of the relief requested
4 herein, as it is in the best interest of all parties.
5

6 Attached is a proposed order, setting forth the relief requested herein.

7 Respectfully submitted,

8 Dated: November 8, 2010
9 Ellenville, NY 12428

10 /s/ Julie Cohen Lonstein
11 Julie Cohen Lonstein, Esq.
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18 /s/ Kari Rawlings-Hoyer
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24 Email: k-rawlings1@uop.edu
25 Local Counsel for Plaintiff, Directv, Inc.

26 CERTIFICATE OF SERVICE

27 I HEREBY CERTIFY that, on November 8, 2010, I electronically filed the
28 foregoing with the Clerk of the Court by using the CM/EFC system which will send a
notice of electronic filing to the following counsel:

29 Scott L. Woodall, Esq.
30 Law Office of Scott L. Woodall
31 2340 Santa Rita Rd, Suite 5
32 Pleasanton, CA 94566

33 /s/Julie Cohen Lonstein
34 Julie Cohen Lonstein, Esq.

1 UNITED STATES DISTRICT COURT FOR THE
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 -----
5 DIRECTV, Inc., a California corporation,

ORDER

6 Plaintiff,

Civil Action No. 5:10-CV-04142-PVT

7 -against-

8 ANH THU XUAN PHAM, Individually, and as
9 officer, director, shareholder, and/or principal of ANH
10 THU RESTAURANT, INC., d/b/a ANH THU
11 RESTAURANT,

12 and

13 ANH THU RESTAURANT, INC., d/b/a
14 ANH THU RESTAURANT,

15 Defendants.
16 -----

17 Considering the Motion of Plaintiff, for a continuance of the November 23, 2010,
18 Initial Case Management Conference deadlines set forth in the Court's September 15,
19 2010, ADR and Scheduling Order, it is hereby:

20 ORDERED that the November 23, 2010, Conference and corresponding deadlines
21 thereof are continued.

22
23 SO ORDERED this _____ day of November 2010.

24
25
26
27 **HON. PATRICIA V. TRUMBULL**
United States District Judge
28