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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
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| | | |
|-------------------------------------|---|--|
| 11 ANTHONY LERMA, |) | No. 5:10-cv-04895-PSG |
| 12 Plaintiff, |) | STIPULATION TO RESET DATE OF CASE MANAGEMENT CONFERENCE; DECLARATION OF TANYA E. MOORE; ORDER |
| 13 vs. |) | |
| 14 A BITE OF WYOMING, INC., et al., |) | |
| 15 Defendants. |) | |
| |) | Current Date: July 5, 2011 |
| |) | Proposed Date: August 23, 2011 |
| |) | |

18 **WHEREAS**, the Court set a Case Management Conference for July 5, 2011 at 2:00
 19 p.m.;

20 **WHEREAS**, counsel for Plaintiff Anthony Lerma (“Plaintiff”) will be unavailable on
 21 the date set by the Court;

22 **WHEREAS**, no prior time modifications have been granted and no other deadlines set
 23 by the Court currently exist;

24 **IT IS HEREBY STIPULATED** by and between Plaintiff and Defendants A Bite of
 25 Wyoming, Inc.; S. Max Spurgeon and Esperanza J. Spurgeon, Trustees of the Spurgeon Living
 26 Trust (“Defendants”), by and through their respective counsel, that pursuant to Local Rule 6-
 27 2(a), the Case Management Conference currently set for July 5, 2011 be moved to August 23,
 28 2011 at 2:00 p.m.

1 Date: May 19, 2011

MOORE LAW FIRM, P.C.

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3 /s/ Tanya E. Moore _____
4 Tanya E. Moore,
5 Attorneys for Plaintiff Anthony Lerma

6 Date: May 19, 2011

HOPKINS & CARLEY
A Law Corporation

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9 /s/ Erik P. Khoobyarian _____
10 Erik P. Khoobyarian,
11 Attorneys for Defendants
12 S. Max Spurgeon and Esperanza
Spurgeon, Trustees of the Spurgeon
Living Trust

13 Date: May 19, 2011

BUSTAMANTE O'HARA GAGLIASSO

14
15 /s/ Andrew V. Stearns _____
16 Andrew V. Stearns, Attorneys for
17 Defendant A Bite of Wyoming, Inc.

18 **DECLARATION OF TANYA E. MOORE**

19 I, Tanya E. Moore, hereby declare as follows:

20 1. I am an attorney duly licensed and admitted to practice before the Federal
21 District Court, Northern District of California, and am a member of the Moore Law Firm,
22 attorneys of record for Plaintiff Anthony Lerma in this action. I have personal knowledge of
23 the following facts, and if called as a witness, I could and would competently testify thereto.

24 2. I will be on vacation on July 5, 2011, the date the Court set the Case
25 Management Conference in this matter, and will not return until the end of July.

26 3. No other time modifications have been made in this matter;

27 4. Resetting the date of the Case Management Conference will delay any
28 scheduling order the Court intends to issue by a little over one month.

1 I declare under penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct. Executed this 19th day of May 2011 at San Jose, California.

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4 /s/ Tanya E. Moore
5 Tanya E. Moore

6 **ORDER**

7 The Parties having so stipulated and good cause appearing,

8 **IT IS HEREBY ORDERED** that the Case Management Conference be reset for August
9 23, 2011 at 2:00 p.m. in Courtroom 5, 4th Floor, San Jose, before Magistrate Judge Paul S.
10 Grewal. All other dates set by the Court remain unchanged.

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12 **IT IS SO ORDERED.**

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14 Dated: May 20, 2011

15 Paul S. Grewal
16 United States Magistrate Judge
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