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6 Attorneys for Defendants
 Benedict A. Nunez and F/V Vengeance
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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
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13 JOSEPH NUNEZ AND EDWARD)
 14 NUNEZ,)

Case No: CV 11-04842 - LHK

15 Plaintiffs,

**STIPULATION AND PROPOSED
 ORDER TO EXTEND TIME TO
 ANSWER**

16 vs.

17 F/V VENGEANCE, BENEDICT)
 18 FERRANTE and Does 1-100, inclusive,)
 19 Defendants.)
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21 **IT IS HEREBY STIPULATED AND AGREED** by and between plaintiffs Joseph
 22 Nunez and Edward Nunez, by and through their attorney of record Daniel Cullem, and
 23 defendants F/V Vengeance and Benedict Ferrante by and through their attorneys of record,
 24 Lawrence E. Biegel, Vicki Schermer-Kleinkopf and Joseph A. Cisneros that:

25 **WHEREAS** the parties are very actively engaged in settlement discussions and have
 26 reached an agreement in principle, and

27 **WHEREAS** plaintiffs and defendants are both hopeful that a settlement agreement will
 28 be finalized shortly, and

1 WHEREAS the defendants have a responsive pleading due on January 17, 2012; and
2 WHEREAS defendants have not sought or obtained any previous extensions of time to
3 respond and thus respectfully request that the Court grant an additional two week extension of
4 time up to and including January 31, 2012, to allow the parties to either finalize the settlement
5 documents and/or allow defendant to file an appropriate responsive pleading;

6 IT IS HEREBY RESPECTFULLY REQUESTED by the parties, through their
7 respective counsel, that the Court grant the defendants a two week extension of time up to and
8 including January 31, 2012 by which to file a responsive pleading so as to allow the parties to
9 continue their settlement discussions and hopefully resolve this matter.

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Dated: January 12, 2012

THE BIEGEL LAW FIRM

By: 
Lawrence E. Biegel
Vicki Schermer-Kleinkopf
Joseph Cisneros
Attorneys for defendants

Dated: January 12, 2012

DANIEL CULLEM, ATTORNEY AT LAW

By: 
Daniel Cullem
Attorneys for plaintiffs

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PROPOSED ORDER

Based upon the stipulation of counsel and good cause appearing therefor,
IT IS ORDERED that the time for defendants to file a responsive pleading in this matter shall be extended two weeks and that defendants shall have up to and including January 31, 2012 within which to file such a pleading.

Dated: January 17, 2012



LUCY H. KOH
United States District Judge