

1 Richard Wahng (SBN 225672)  
 Lee E. Sheldon (SBN 263310)  
 2 LAW OFFICES OF RICHARD C.J. WAHNG  
 152 Anza Street, Suite 201  
 3 Fremont, CA 94539  
 (510) 490-4447 Telephone  
 4 (510) 344-5755 Fax

5 Attorney for Defendants,  
 HM ISLAMIC, INC., SHIH-KWEI CHEN

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 7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 CELESTINO GARCIA and SAUL L.  
 11 ALTAMIRANO,

12 Plaintiffs,

13 vs.

14 HM ISLAMIC, INC., SHIH-KWEI CHEN aka  
 15 SAM CHEN,

16 Defendants.

Case No. CV11-04944

**STIPULATION AND ~~PROPOSED~~  
 ORDER FOR EXTENSION TO FILE A  
 RESPONSIVE PLEADING**

17 Pursuant to Local Rule 6-1(a), it is hereby stipulated by and between plaintiffs,  
 18 CELESTINO GARCIA and SAUL ALTAMIRANO (collectively "Plaintiffs") and defendants,  
 19 HM ISLAMIC, INC. and SHIH-KWEI CHEN (collectively "Defendants"), through their  
 20 respective attorneys, that Defendants shall have up to and including December 18, 2011 within  
 21 which to answer or otherwise respond to Plaintiffs' Complaint filed on October 6, 2011.

22 Defendants only recently retained counsel to defend this case. Defense counsel requires  
 23 additional time to investigate the factual and legal aspects of this case before filing an  
 24 appropriate response.

25 Similarly, because Defendants have only recently retained counsel and the case is not at  
 26 issue, the parties stipulate and agree that the Case Management Conference currently set for  
 27 November 22, 2011, should be continued to January 3, 2012, (or a date convenient to the Court  
 28

STIPULATION AND ~~PROPOSED~~ ORDER FOR EXTENSION TO FILE A RESPONSIVE PLEADING

1 in January 2012) in order to provide the parties with an opportunity to meet and confer pursuant  
2 to Rule 26 of the Federal Rules of Civil Procedure.

3 Absent the requested extension, Defendant's response would have been due on  
4 November 17, 2011.

5  
6 Dated: November 16, 2011

7  
8 LAW OFFICES OF RICHARD WAHNG

9  
10 */s/ Lee Sheldon*

11 Lee Sheldon  
12 Attorney for Defendants

13  
14 Dated: November 16, 2011

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16 DAL BON & MARGAIN, APC

17  
18 */s/ Tomas Margain*

19 Tomas Margain  
20 Attorney for Plaintiffs

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22 **ATTESTATION UNDER GENERAL ORDER 45**

23 I, Tomas Margain, am the ECF user whose ID and password are being used to file this  
24 STIPULATION AND [PROPOSED] ORDER FOR EXTENSION TO FILE A RESPONSIVE  
25 PLEADING. In compliance with General Order 45, I hereby attest that Lee Sheldon, counsel  
26 for Defendants, has concurred in this filing.

27  
28 Dated: November 16, 2011

*/s/ Tomas Margain*  
Tomas Margain

STIPULATION AND ~~PROPOSED~~ ORDER FOR EXTENSION TO FILE A RESPONSIVE PLEADING

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

Defendants' response to Plaintiffs' Complaint shall be filed and served on all parties on or before December 18, 2011.

The Case Management Conference currently scheduled for November 22, 2011 at 2:00pm in Courtroom 5, shall be continued to January 3, 2012, time and location to remain the same.

DATED:

*Paul S. Auld*