

ORIGINAL

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 CLERK U.S. DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

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IN THE UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 (Eastern Division)

11 RAYMOND RODEN,

13 Plaintiff,

15 vs.

18 WESTIN MISSION HILLS RESORT & SPA;
 19 STARWOOD HOTELS AND RESORTS
 20 WORLDWIDE, INC.; and DOES 1 through
 21 50, inclusive,

22 Defendants.

Case No.: EDCV07-0076 VAP (JCRx)

[State Court Case No.: INC 063472]

Assigned for all purposes to:
Hon. Judge Virginia Phillips

**JOINT STIPULATION RE
 CONTINUANCE OF SETTLEMENT
 CONFERENCE AND [PROPOSED]
 ORDER**

Complaint Filed: December 7, 2006
 Trial Date: January 15, 2008

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1 Plaintiff, RAYMOND RODEN, and Defendant, STARWOOD HOTELS AND
2 RESORTS WORLDWIDE, INC. (collectively "the parties"), through their respective counsel of
3 record, hereby stipulate and agree as follows:

4 **RECITALS**

5 WHEREAS, the parties' date for completion of settlement conference is presently set for
6 September 22, 2007;

7 WHEREAS, the parties have jointly agreed upon a mediator, one Patricia D. Barrett, to
8 mediate this case;

9 WHEREAS, the parties selected September 21, 2007 as the date for the conduct of their
10 mediation;

11 WHEREAS, at the time such date was selected, the parties were unaware that the date
12 they selected for the mediation fell on a major Jewish holiday, specifically, Yom Kippur;

13 WHEREAS, Defendants' lead counsel and trial counsel is Jewish and honors Yom
14 Kippur;

15 WHEREAS, the mediator has, since agreeing to conduct the mediation on September 21,
16 2007, requested that the matter be postponed for a short time due to her own calendar problems;

17 WHEREAS, information anticipated to be gleaned from yet to be taken depositions that
18 recently had to be rescheduled to dates after September 21, 2007 would greatly assist the parties
19 in attempting to mediate their dispute;

20 WHEREAS, the next date available to Plaintiff's trial counsel, Defendants' trial counsel,
21 and the mediator on which to conduct a mediation after the above referenced depositions have
22 been taken is October 17, 2007;

23 WHEREAS, the parties will not be prejudiced by a continuance of the mediation from
24 September 21, 2007, to October 17, 2007; and

25 WHEREAS, a postponement of the mediation to October 17, 2007, will not interfere with
26 the commencement of trial which is scheduled presently for January 15, 2008,

27 **STIPULATION**

28 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties,

1 through their respective counsel of record, that the mediation in this matter should be continued
 2 from September 21, 2007 to October 17, 2007, and that mediation will be completed by such
 3 latter date. This stipulation is based upon the accompanying declaration of Bradley R. White,
 4 attached hereto as Exhibit "A".

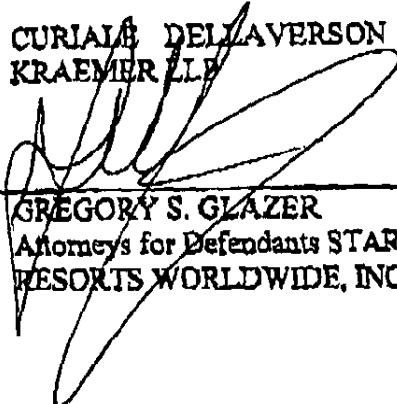
5
 6 Dated: September 18, 2007

GRANOWITZ, WHITE AND WEBER

7
 8 By: 
 9 BRADLEY R. WHITE
 Attorneys for Plaintiff

10
 11 Dated: September 18, 2007

CURIALE DELLAVERSON HIRSCHFELD &
 KRAEMER LLP

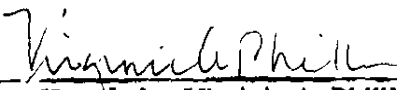
12
 13 By: 
 14 GREGORY S. GLAZER
 Attorneys for Defendants STARWOOD HOTELS &
 15 RESORTS WORLDWIDE, INC.

16
 17 **ORDER**

18
 19 After reviewing the proposed joint stipulation of the parties and good cause appearing
 20 therefore, it is hereby ordered that the parties are to complete mediation by October 17, 2007.

21 IT IS SO ORDERED:

22
 23 Dated: Sept 18 2007


 24 Hon. Judge Virginia A. Phillips
 United States District Court Judge

1 through their respective counsel of record, that the mediation in this matter should be continued
2 from September 21, 2007 to October 17, 2007, and that mediation will be completed by such
3 latter date. This stipulation is based upon the accompanying declaration of Bradley R. White.
4 attached hereto as Exhibit "A".
5

6 Dated: September 18, 2007

GRANOWITZ, WHITE AND WEBER

7
8 By: Bradley R. White
9 BRADLEY R. WHITE
Attorneys for Plaintiff

10
11 Dated: September 18, 2007

CURIALE DELLAVERSON HIRSCHFELD &
KRAEMER LLP

12
13 By: _____
14 GREGORY S. GLAZER
15 Attorneys for Defendants STARWOOD HOTELS &
16 RESORTS WORLDWIDE, INC.

17
18 **ORDER**

19 After reviewing the proposed joint stipulation of the parties and good cause appearing
20 therefore, it is hereby ordered that the parties are to complete mediation by October 17, 2007.

21 IT IS SO ORDERED:

22
23 Dated: _____
24 Hon. Judge Virginia A. Phillips
25 United States District Court Judge
26
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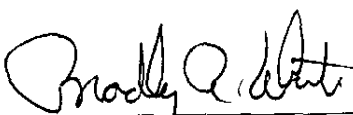
1 other depositions I had noticed could not be taken on the dates for which they had been noticed
2 due to conflicts with the calendar of opposing counsel and/or the deponents themselves.
3 Although counsel has kindly accommodated my request in moving the deposition dates, the only
4 dates available fall after September 21, 2007. Accordingly, important information anticipated to
5 be gleaned from those yet to be taken depositions will not be available to assist the parties in
6 attempting to mediate their dispute if this honorable court rejects this stipulation. If the court
7 were, alternatively, to approve the parties' stipulation so as to allow the undersigned an
8 opportunity to complete the depositions in question, it is anticipated that the mediation will be
9 much more effective and much more likely to resolve this case entirely than if the mediation
10 proceeds before such depositions have been completed.

11 7. In light of all of the foregoing, the parties and the mediator have agreed to
12 continue the mediation to October 17, 2007. This is the first date following the currently
13 scheduled mediation date, and depositions, upon which all can be available. The date has
14 already been reserved by all concerned and it is anticipated the mediation will therefore be
15 completed on October 17, 2007.

16 8. The parties also agree that a postponement of the mediation until October 17,
17 2007 will not interfere with the trial in this matter which is presently scheduled to commence
18 January 15, 2008.

19 9. The parties and mediator therefore all jointly request this court to approve their
20 stipulation and order that the mediation be completed by October 17, 2007.

21 I declare under penalty of perjury under the laws of the State of California and of the
22 United States of America that the foregoing is true and correct and that this declaration was
23 executed on September 18, 2007, at San Bernardino, California.

24
25 
26 _____
27 BRADLEY R. WHITE
28

1 PROOF OF SERVICE BY FACSIMILE AND FIRST CLASS MAIL

2
3 STATE OF CALIFORNIA)
4 COUNTY OF SAN BERNARDINO) ss.

5
6 I am employed and reside in the County of San Bernardino in the State of California. I
7 am over the age of eighteen years and am not a party to this action. My business address is 330
8 North "D" Street, Suite #300, San Bernardino, California, 92401.

9 On September 18, 2007, I served the foregoing document(s) described as:

10 **JOINT STIPULATION RE CONTINUANCE OF SETTLEMENT CONFERENCE AND
11 [PROPOSED] ORDER**

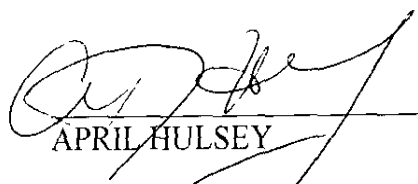
12 on the interested parties in this action by faxing to the facsimile number listed below and mailing
13 same via United States First Class mail addressed as follows

14 Gregory S. Glazer
15 Curiale Dellaverson Hirschfeld & Kraemer LLP
16 2425 Olympic Blvd., Suite 550 East
17 Santa Monica, CA 90404
18 (310) 255-0705
19 (310) 255-0986 - Fax

20 The above-referenced document(s) were transmitted by facsimile transmission and the
21 transmission was reported as complete and without error. Pursuant to California Rules of Court
22 §2008(e), I caused the transmitting facsimile machine to issue properly a transmission report, a
23 copy of which is attached to this declaration.

24 I am readily familiar with the firm's practice of collection and processing correspondence
25 for mailing. Under that practice, it would be deposited with U.S. Postal Service on that same day
26 with postage thereon fully prepaid at San Bernardino, California in the ordinary course of
27 business. I am aware that on motion of the party served, service is presumed invalid if post
28 cancellation date or postage meter date is more than one day after date of deposit for mailing an
affidavit.

I declare under penalty of perjury pursuant to the laws of the State of California and
pursuant to the laws of the United States of America that the foregoing is true and correct, and
that this declaration was executed on September 18, 2007, at San Bernardino, California.

27
28 
APRIL HULSEY

hp LaserJet 3015



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Fax Call Report

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**LAW OFFICES OF
GRANOWITZ, WHITE AND WEBER**
WASHINGTON MUTUAL BUILDING
330 North "D" Street, Suite #300
San Bernardino, California 92401
Telephone: 909/889-0366 / Facsimile: 909/889-0544

FACSIMILE TRANSMISSION COVER SHEET

PLEASE DELIVER THE FOLLOWING MATERIAL AS SOON AS POSSIBLE

DATE: September 18, 2007
TO: Gregory S. Glazer, Esq
FIRM: Curiale Dellaverson Hirschfeld & Kramer, LLP
YOUR FAX NO: (310) 255-0986
OUR FAX NO: (909) 889-0544
REGARDING: Mr. Raymond Roden
TOTAL NUMBER OF PAGES: 7
MESSAGE: Please see the attached letter this date.

**IF YOU DO NOT RECEIVE ALL OF THESE PAGES, OR IF THEY ARE NOT CLEAR,
PLEASE CALL ME AS SOON AS POSSIBLE AT (909) 889-0366.**

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GRANOWITZ, WHITE AND WEBER

April Hulsey
Assistant to BRADLEY R. WHITE, ESQ.