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 SUED AS DOLLAR TREE CORP)

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 14 EUGENE KORTE

15 UNITED STATES DISTRICT COURT
 16 EASTERN DISTRICT OF CALIFORNIA
 17 SACRAMENTO DIVISION

19 EUGENE KORTE,
 20 Plaintiff,
 21 v.
 22 DOLLAR TREE CORP,
 23 Defendants.

Case No. 2:12-cv-00541 LKK AC
**STIPULATION AND ORDER
 CONTINUING SETTLEMENT
 CONFERENCE TO NOVEMBER 1, 2013**
COMPLAINT FILED: December 8, 2011
FIRST AMENDED
COMPLAINT FILED: June 20, 2012
TRIAL DATE: January 14, 2014

1 The parties to this action, Dollar Tree Stores, Inc. (erroneously sued as Dollar Tree
2 Corp) (“Dollar Tree”) and Plaintiff Eugene Korte (“Plaintiff”)(collectively the “Parties”), by their
3 respective counsel, hereby stipulate and agree as follows:

4 **WHEREAS**, as set forth in the Court’s Pretrial Conference Order (Tentative) [ECF
5 No. 56], the Parties are ordered to participate in a Settlement Conference before Magistrate Judge
6 Kendall J. Newman on October 29, 2013;

7 **WHEREAS**, Dollar Tree’s party representative (Assistant General Counsel,
8 Employment) must travel from Norfolk, Virginia to attend the Settlement Conference in person.
9 However, she has a pre-scheduled commitment in Virginia on October 30, which she will miss under
10 the present schedule, if she must return to Virginia the evening of October 29. Moreover, she is
11 required to fly to California on November 1 in any event for pre-trial preparations in a separate
12 action set to go to trial in the Central District on November 5, 2013 and conducting the Settlement
13 Conference in this matter on November 1 would eliminate the need for her to travel to and from
14 California twice in one week;

15 **WHEREAS**, to accommodate the travel schedule of Dollar Tree’s corporate
16 representative, the parties have agreed to conduct the Settlement Conference on November 1, and
17 anticipate that the Conference could begin at any time after 12:30 p.m. in Courtroom 25. Settlement
18 Conference Statements shall be due pursuant to the schedule set forth in the Trial Order [ECF No.
19 56];

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1 **IT IS NOW HEREBY STIPULATED AND AGREED** that:

2 The Settlement Conference in this matter shall be held in Courtroom 25 on November
3 1, 2013 beginning at 12:30 p.m., or at a time thereafter that is convenient for the Court.

4 **THE FILER OF THE DOCUMENT ATTESTS THAT THE CONTENT OF**
5 **THIS DOCUMENT IS ACCEPTABLE TO ALL PERSONS REQUIRED TO SIGN THIS**
6 **DOCUMENT.**

7 Dated: October 8, 2013

By: /s/ Robert P. Biegler (as authorized on 10/8/13)

8 ROBERT P. BIEGLER
9 THE BIEGLER LAW FIRM
10 Attorneys for Plaintiff
11 EUGENE KORTE

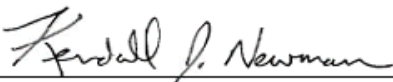
12 Dated: October 8, 2013

By: /s/ Constance E. Norton

13 CONSTANCE E. NORTON
14 LITTLER MENDELSON, P.C.
15 Attorneys for Defendant
16 DOLLAR TREE STORES, INC.
17 (ERRONEOUSLY SUED AS DOLLAR
18 TREE CORP)

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

20 Dated: October 8, 2013

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22 _____
23 KENDALL J. NEWMAN
24 UNITED STATES MAGISTRATE JUDGE

25 Firmwide:123525494.1 061603.1055