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9 Attorneys for Defendants VICTORIA'S SECRET, VICTORIA'S SECRET STORES  
 10 BRAND MANAGEMENT, INC., L. BRANDS STORE DESIGN AND  
 11 CONSTRUCTION, INC., L. BRANDS DIRECT FULFILLMENT, INC., L.  
 12 BRANDS, INC.

13 U.S. DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA  
 14 (SACRAMENTO DIVISON)

15 BARBARA BOGGS,  
 16 Plaintiff,

17 v.

18 VICTORIA'S SECRET, VICTORIA'S  
 19 SECRET STORES BRAND  
 20 MANAGEMENT, INC., L. BRANDS  
 21 STORE DESIGN AND  
 22 CONSTRUCTION, INC., L. BRANDS  
 23 DIRECT FULFILLMENT, INC., L.  
 24 BRANDS, INC., and DOES 1 to 50,  
 25 inclusive

26 Defendants.

CASE NO.: 2:15-CV-01920- KJM-KJN

**STIPULATION AND ORDER TO  
 CONTINUE SETTLEMENT  
 CONFERENCE**

Date: May 6, 2016  
 Time: 9:00 a.m.  
 Courtroom: 25, 8th Floor

Judge: Hon. Kimberly J. Mueller  
 Settlement Judge: Hon. Kendall J.  
 Newman

Complaint Filed: July 24, 2015  
 Trial Date: April 17, 2017

**STIPULATION**

27 Plaintiff Barbara Boggs ("Plaintiff") and Defendants (with Plaintiff, the  
 28 "Parties") jointly submit their request to continue the Settlement Conference,  
 currently set for May 6, 2016, for good cause as set forth below:

- 29 1. This action is a personal injury action arising out a trip and fall wherein  
 30 Plaintiff is alleging significant injury and monetary damages;
- 31 2. The parties previously submitted a Stipulation and Order to continue a  
 32 Settlement Conference from February 5, 2016 to May 6, 2016;
- 33 3. At the time, the Parties were discussing the dismissal of certain



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- defendants who were improperly named, and for Plaintiff to file an Amended Complaint to name the proper defendant to this action;
4. On March 4, 2016, this Court entered an Order granting Plaintiff leave to file an Amended Complaint which would have dismissed the improper defendants and added the proper defendant per a stipulation of the parties;
  5. The Court's March 4, 2016 Order, however, inadvertently dismissed the improper defendants with prejudice, as opposed to without prejudice as agreed-upon by the parties, and Plaintiff has only just submitted a proposed order remedying this issue and, if entered, ;
  6. Due to the erroneous March 4, 2016 Order, and Plaintiff's delay in filing an Amended Complaint in order to name the proper defendant, the parties have not yet completed the discovery necessary for the May 6, 2016 Settlement Conference to constitute a meaningful opportunity to try and resolve this matter;
  7. Plaintiff is also now unavailable for the May 6, 2016 Settlement Conference due to the fact she will be traveling out-of-state for a family event that cannot be rescheduled;
  8. The parties believe that with additional time to complete the necessary discovery, a later settlement conference will only have a greater likelihood of resolving this dispute;
  9. Defendant's counsel contacted Judge Newman's courtroom and obtained an alternative date of August 2, 2016 to hold the Settlement Conference that is convenient to Judge Newman, the parties' and their counsel.

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1 In light of the foregoing, IT IS HEREBY STIPULATED by and between the  
2 Parties, by and through their respective counsel that the Settlement Conference  
3 currently set for May 6, 2016 should be continued to August 2, 2016.  
4

5 Dated: April 8, 2016

SMITH DOLLAR PC

/s/ Richard R. Sutherland

7 By \_\_\_\_\_  
8 Richard R. Sutherland  
9 Attorney for Defendants  
10

11 Dated: April 8, 2016

QUINN & KRONLUND, LLP

/s/ Michael C. Kronlund

14 By \_\_\_\_\_  
15 Michael C. Kronlund  
16 Attorney for Plaintiff Barbara Boggs  
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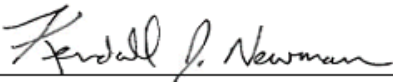
1 **ORDER**

2 Having reviewed the Stipulation submitted by the Parties, and good cause  
3 appearing, the Court hereby GRANTS the request to continue the Settlement  
4 Conference.

5 The Settlement Conference currently set for May 6, 2016, is hereby vacated  
6 and continued to August 2, 2016, at 9:00 a.m., in Courtroom 25, 8th Floor, before  
7 Magistrate Judge Kendall J. Newman.

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9 SO ORDERED.

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11 Dated: April 8, 2016

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14 KENDALL J. NEWMAN  
15 UNITED STATES MAGISTRATE JUDGE  
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**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF SONOMA

I am employed in the County of Sonoma, State of California. I am over the age of 18 and not a party to the within action. My business address is 404 Mendocino Avenue, Second Floor, Santa Rosa, CA 95401.

On April 8, 2016, I served the foregoing document described as **STIPULATION AND [PROPOSED] ORDER TO CONTINUE SETTLEMENT CONFERENCE** all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as stated on the attached service list:

**BY MAIL** - I deposited such envelope in the mail at Santa Rosa, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Santa Rosa, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

(Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on April 8, 2016, at the address above.

/s/ Stephanie Abbott

Stephanie D. Abbott

**SERVICE LIST**

***BARBARA BOGGS v. VICTORIA'S SECRET, VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC., L. BRANDS STORE DESIGN AND CONSTRUCTION, INC., L. BRANDS DIRECT FULFILLMENT, INC., L. BRANDS, INC., and DOES 1 to 50, inclusive***

U.S. District Court, Eastern District of California, Case No.2:15-CV-01920- KJM-KJN

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