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8 Attorneys for Defendant Hilda Solis, Secretary of Labor,
 Substituted under FRCP 25(d) for former Secretary Elaine Chao

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 RICHARD GAYTAN,	}	No. C 07-6367 VRW
14 Plaintiff,	}	
15 v.	}	STIPULATION AND [PROPOSED]
16 HILDA SOLIS, Secretary of Labor,	}	ORDER TO CONTINUE PRE-TRIAL
17 Defendant.	}	DATES

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 20
 21 IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval
 22 of the Court, that the pre-trial dates listed below are continued to the dates listed below. This
 23 stipulation was agreed to by the parties because Mr. Gaytan has not yet responded to written
 24 discovery served by the defendant in December and has requested a further continuance, a
 25 request that defendant is willing to agree to if this stipulation is approved by the Court. The
 26 parties also request the continuance of the dates in this stipulation because they have agreed to
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1 mediate the case on May 28, 2009 with the assistance of Daniel Bowling, Esq. of the Court's
 2 ADR office (a date that was the earliest one available for the parties, counsel and the mediator).
 3 Mr. Gaytan's counsel for settlement purposes only (Mr. Aaron Silberman, Esq.) has requested
 4 that Mr. Gaytan not be deposed until after the mediation, a request that defendant is willing to
 5 agree to if this stipulation is approved by the Court. The parties are requesting a deadline for
 6 completing mediation beyond the May 28, 2009 date at the suggestion of the mediator in case
 7 any postponement or follow up mediation sessions become necessary or appropriate. Counsel for
 8 defendant obtained approval for the proposed dates for the dispositive motion hearing date and
 9 pre-trial conference date from the Court's clerk. These dates have previously been continued in
 10 this case one time earlier. The parties thus stipulate to change the pre-trial dates in this case as
 11 follows:

12 The date for completing mediation is continued from February 27, 2009 to June 30, 2009

13 The date for expert disclosures is continued from April 13, 2009 to July 16, 2009;

14 The fact discovery cut off date is continued from April 27, 2009 to July 31, 2009;

15 The date for rebuttal expert disclosures is continued from May 13, 2009 to August 14,
 16 2009;

17 The last day for expert discovery is continued from June 17, 2009 to September 18, 2009;

18 The dispositive motion hearing date is continued from August 6, 2009 to November 19,
 19 2009 at 2:30 p.m.;

20 The pre-trial conference is continued from September 10, 2009 to December 17, 2009 at
 21 3:30 p.m.

22
 23 DATED: March 31, 2009

By:


 RICHARD GAYTAN
 Plaintiff

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DATED: March 31, 2009 By: Michael T. Pyle
MICHAEL T. PYLE
Assistant United States Attorney
Attorneys for Defendant

ROGERS JOSEPH O'DONNELL

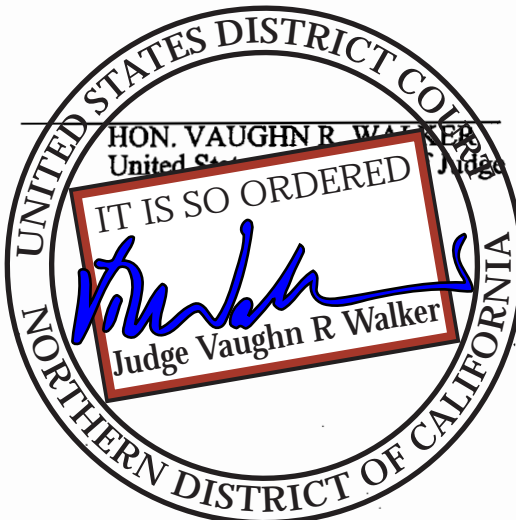
DATED: March 31, 2009 By: Aaron P. Silberman
AARON P. SILBERMAN
Settlement Counsel for Plaintiff
(Signing only to confirm approval of change in
mediation deadline)

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The pre-trial dates listed in this action are continued such that the schedule for the disposition of this action is as follows:

- The date for completing mediation is June 30, 2009
- The date for expert disclosures is July 16, 2009;
- The fact discovery cut off date is July 31, 2009;
- The date for rebuttal expert disclosures is August 14, 2009;
- The last day for expert discovery is September 18, 2009;
- The dispositive motion hearing date is November 19, 2009 at 2:30 p.m.; and
- The pre-trial conference is continued to December 17, 2009 at 3:30 p.m.

DATED: 4/9/2009



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