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 7 KEVIN BARRY FINE ART ASSOCIATES

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

12 BERENICE BRACKETT,  
 13 Plaintiff,

14 v.

15 HILTON HOTELS CORPORATION, et. al.,  
 16 Defendants.

Case No. CV 08-02100 WHA (EMC)

**SECOND STIPULATED REQUEST  
 TO AMEND CASE MANAGEMENT  
 ORDER TO EXTEND DEADLINE TO  
 ADD PARTIES OR CLAIMS BY  
 THREE WEEKS; ~~PROPOSED~~  
 ORDER**

17  
 18 **STIPULATION**

19 WHEREAS, the trial date in this action is set for June 15, 2009 (per the Court's  
 20 Case Management Order dated June 30, 2008);

21 WHEREAS, the non-expert discovery cut-off date in this action is February 6,  
 22 2009 (per the Court's Case Management Order dated June 30, 2008);

23 WHEREAS, the deadline to seek leave to add new parties or otherwise to amend  
 24 the pleadings is October 21, 2008 (per the Court's Order dated July 14, 2008);

25 WHEREAS, the Court referred this case to Magistrate Judge Edward M. Chen for  
 26 mediation/settlement;

27 WHEREAS, a settlement conference was held on September 22, 2008, at which  
 28 the parties reached a binding settlement entered on the record in Judge Chen's

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1 courtroom;

2 WHEREAS, the settlement reached by the parties requires certain acts to be  
3 performed within six weeks of September 22, that is, by November 3, 2008, upon the  
4 completion of which the plaintiff will dismiss all of her claims with prejudice;

5 WHEREAS, the settlement agreement provides that pending the completion of  
6 these acts the parties will freeze all further discovery activity, and will request the Court  
7 to extend by three weeks plaintiff's October 21, 2008 deadline for adding claims or  
8 parties; and

9 WHEREAS, the settlement agreement further provides that it may be set aside  
10 and the case be reinstated, in the discretion of the plaintiff, if the steps required to be  
11 taken within six weeks are not completed in six weeks, i.e. by November 3, 2008;

12 NOW, THEREFORE, the parties to this action, through their undersigned counsel,  
13 stipulate and ask the Court to enter its order as follows:

14 The deadline for seeking leave to add new parties or otherwise to amend the  
15 pleadings is extended by three weeks, to and including November 11, 2008.

16

17 DATED: September 23, 2008

THE BERNSTEIN LAW GROUP, P.C.

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By: \_\_\_\_\_ /s/  
Marc N. Bernstein

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Attorneys for Plaintiff  
BERENICE BRACKETT

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22 DATED: September 23, 2008

HOWREY LLP

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By: \_\_\_\_\_ /s/  
Robert Phillips

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Attorneys for Defendants  
HILTON HOTELS CORPORATION and  
HILTON SUPPLY MANAGEMENT, INC.

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DATED: September 23, 2008

HANSON BRIDGETT LLP

By: \_\_\_\_\_ /s/  
Garner K. Weng

Attorneys for Defendants  
KEVIN A. BARRY and  
KEVIN BARRY FINE ART ASSOCIATES

SIGNATURES UNDER GENERAL ORDER NO. 45

Pursuant to General Order No. 45 of the United States District Court, Northern District of California, I, Garner K. Weng—the ECF User whose User ID and Password are used in the filing of this document—hereby attest that the concurrence to the filing of this document has been obtained from each of the other signatories to this document.

\_\_\_\_\_/s/  
GARNER K. WENG

ORDER

The deadline for seeking leave to add new parties or otherwise to amend the pleadings is extended to and including November 11, 2008.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 23, 2008

By: \_\_\_\_\_  
The Honorable William Alsup

