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11
 12 UNITED STATES DISTRICT COURT
 13 FOR NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO

15 JOHN DAMON,
 16 Plaintiff,
 17 vs.

Case No.: C 08 03488 PJH

18
 19 RICHARD R. FENTON DBA FENTON
 20 CONSTRUCTION SERVICES,
 21 Defendant

**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE DECEMBER 18,
 2008 CASE MANAGEMENT
 CONFERENCE TO JANUARY 15, 2009**

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 24 The parties submit the following Stipulation, pleading that the Court order the Case
 25 Management Conference in this matter currently set for December 18, 2008 be continued to

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FOR DEFENDANT

LAW OFFICES OF HERBERT L. TERRERI

DATED: 12-10-08

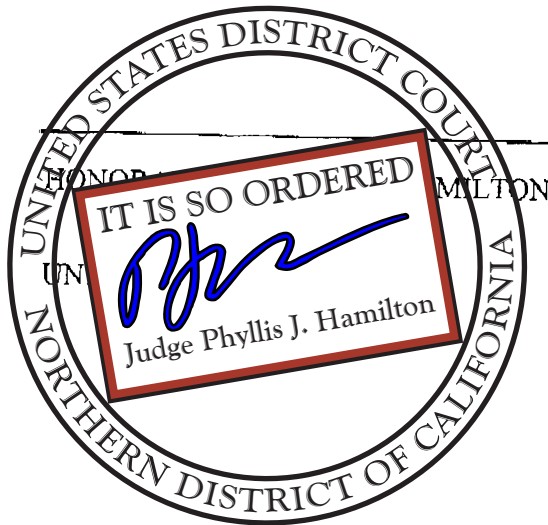
By: [Signature]
Herbert L. Terrefi

GOOD CAUSE APPEARING THEREFOR,

IT ORDERED:

- 1. THAT THE CASE MANAGEMENT CONFERENCE IS CONTINUED TO JANUARY 15, 2009.
- 2. THE JOINT CASE MANAGEMENT STATEMENT IS TO BE FILED BY JANUARY 8, 2009.

DATED: 12/12/08



1 January 15, 2009, and that the Joint Case Management Statement deadline of December 11, 2008
2 be re-set for January 8, 2009.

3 . WHEREAS, the complaint in this matter was not served on Defendant until November
4 30, 2008;

5 WHEREAS, Defendant did not obtain counsel until December 6, 2008;

6 WHEREAS, counsel for Plaintiff and counsel for Defendant spoke with one another for
7 the first time on December 10, 2008 and an answer is not due until after the date scheduled for
8 the Case Management Conference;

9 WHEREAS, Plaintiff has provided Defendant with informal discovery which comprises
10 all discoverable documents currently in Plaintiff's possession;

11 WHEREAS, Defendant is currently in the process of beginning good faith discovery
12 disclosure;

13 WHEREAS, a meaningful Case Management Statement containing a damages estimate
14 will require that Plaintiff examine Defendant's records of Plaintiff's hours worked and type of
15 work performed.

16 **IT IS HEREBY STIPULATED** by and between Plaintiffs and Defendant, through their
17 respective counsel, as follows:

18 1. That the Court should please order that the Case Management Conference in this
19 matter currently set for December 18, 2008 be continued to January 15, 2009.

20 2. That the Joint Case Management Statement deadline of December 11, 2008 be re-
21 set for January 8, 2009.

22 3. This Stipulation may be signed in counterparts, and a facsimile signature shall
23 have the same force and effect as an original signature.

24 **FOR PLAINTIFFS**

**LAW OFFICES OF TOMAS E.
MARGAIN**

25 DATED: 12-10-2008

By: Jacob Sider