

1 MORGAN, LEWIS & BOCKIUS LLP
 DARYL S. LANDY, State Bar No. 136288
 2 Palo Alto Square
 3000 El Camino Real, Suite 700
 3 Palo Alto, California 94306-2122
 Tel: 650.843.4000
 4 Fax: 650.843.4001
 E-mail: dlandy@morganlewis.com

5
 6 MORGAN, LEWIS & BOCKIUS LLP
 ANN MARIE REDING, State Bar No. 226864
 One Market Street, Spear Street Tower
 7 San Francisco, California 94105-1126
 Tel: 415.442.1000
 8 Fax: 415.442.1001
 E-mail: areding@morganlewis.com

9
 10 Attorneys for Defendant
 COMCAST CABLE COMMUNICATIONS
 MANAGEMENT, LLC, improperly sued as
 11 Comcast Inc.

12 Daniel Berko
 819 Eddy Street
 13 San Francisco, CA 94109
 Tel: 415.771.6174
 14 Fax: 415.474.3748
 E-mail: berkolaw@sbcglobal.net

15
 16 Attorney for Plaintiff THOMAS W. RAMOS on
 behalf of himself and all others similarly situated

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20
 21 THOMAS W. RAMOS on behalf of
 himself and all others similarly situated,

22 Plaintiff,

23 vs.

24 AC SQUARE; COMCAST INC.; AFSHIN
 25 GHANEH; ANDREW A. BAHMANYAR,

26 Defendants.

Case No. CV-08-5177 MHP

**STIPULATION AND ~~[PROPOSED]~~
 ORDER RE CONTINUING MOTION FOR
 SUMMARY JUDGMENT DEADLINES**

27
 28

1 **JOINT STIPULATION**

2 Pursuant to Civil Local Rules, 6-1, 6-2, and 7-12, Plaintiff Thomas Ramos and Defendant
3 Comcast Cable Communications Management, LLC, improperly sued as Comcast Inc.
4 (collectively “the Parties”), by and through their undersigned counsel, hereby stipulate and agree
5 as follows:

6 1. On March 9, 2009, at the initial Case Management Conference in this case, the
7 Parties requested a deadline for filing motions for summary judgment regarding Plaintiff’s joint
8 employer theory against Comcast Cable Communications Management, LLC. The Court ordered
9 the Parties to file any motion(s) for summary judgment by June 1, 2009 and any opposition(s) by
10 June 15, 2009.

11 2. The parties have not yet completed discovery related to the joint employer theory
12 in this case due to scheduling conflicts and coordination with discovery in the related actions
13 pending in San Mateo County Superior Court. Comcast has agreed to produce a second person
14 most knowledgeable and provide Plaintiff with further documents in the upcoming weeks.
15 Accordingly, the Parties request that the Court continue the deadlines related to the motion(s) for
16 summary judgment as follows:

- 17 ▪ June 29, 2009 - Last day to file motions for summary judgment;
- 18 ▪ July 13, 2009 - Last day to file oppositions;
- 19 ▪ July 20, 2009 - Last day to file replies; and
- 20 ▪ August 3, 2009 - Hearing on any motion for summary judgment.

21 If the Court is unavailable on the requested August 3, 2009 hearing date, the Parties request that
22 any motion for summary judgment be heard on August 10, 2009, and the Court extend the filing
23 deadlines above by 7 days each.

24 4. There have been no other time modifications in this case. The Court has not set
25 this case for trial, nor has it set a deadline for any motion for class certification. Accordingly, the
26 requested time modification should not affect the schedule for this case.

27
28

1 Dated: May 20, 2009

MORGAN, LEWIS & BOCKIUS LLP
DARYL S. LANDY
ANN MARIE REDING

2

3

4

By /s/ Ann Marie Reding
Ann Marie Reding
Attorneys for Defendant
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC, improperly sued as
Comcast Inc.

5

6

7

8 Dated: May 20, 2009

LAW OFFICES OF DANIEL BERKO
DANIEL BERKO

9

10

11

By /s/ Daniel Berko
Daniel Berko
Attorneys for Plaintiff THOMAS W.
RAMOS, on behalf of himself and all others
similarly situated

12

13

14

15

PURSUANT TO STIPULATION, IT IS SO ORDERED. Any motion for summary judgment related to Plaintiff's joint employer theory of liability against Comcast Cable Communications Management, LLC, must be filed by June 29, 2009; any opposition must be filed by July 13, 2009; and any reply must be filed by July 20, 2009. Any motion for summary judgment on this issue will be heard on August 3, 2009 at 2:00 p.m. in Courtroom 15. The prior filing deadlines of June 1, 2009, June 15, 2009, and June 22, 2009 are hereby vacated.

16

17

18

19

20

21

22

23

Dated: May 22, 2009

24

25

26

27

28

