| 1 2 | Timothy C. Travelstead (SBN 215260) JACKSON LEWIS LLP 199 Fremont Street, 10th Floor San Francisco, California 94105 | | |
|--------|--|---|--|
| 3 | Telephone: (415) 394-9400 Facsimile: (415) 394-9401 | | |
| 4 | Attorneys for Defendants | | |
| 5 6 | TRINITY TECHNOLOGY GROUP, INC. and TRINITY TECHNOLOGY GROUP, LLC, | | |
| 7 | | | |
| 8 | UNITED STATES DISTRICT COURT | | |
| 9 | NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION | | |
| 10 | | | |
| 11. | PHILIP HERNANDEZ, an individual, | Case No. C 09-02412 EMC | |
| 12 | Plaintiff, | NOTICE OF TENTATIVE | |
| 13 | V | SETTLEMENT AND JOINT STIPULATION TO CONTINUE CASE | |
| 14 | TRINITY TECHNOLOGY GROUP, INC., A | MANAGEMENT CONFERENCE ORDER | |
| 15 | VIRGINIA CORPORATION; TRINITY TECHNOLOGY GROUP, LLC, A VIRGINIA | Date: November 4, 2009 | |
| 16 | LIMITED LIABILITY COMPANY; and DOES 1 through 10, inclusive, | Time: 1:30 p.m. Dept.: Coutroom C, 15 th Floor Judge: Edward M. Chen | |
| 17 | Defendants. | Judge. Edward W. Chen | |
| 18 | | | |
| 19 | TO THE HONORABLE COURT: | | |
| 20 | IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Philip | | |
| 21 | Hernandez ("Plaintiff") and Defendants Trinity Technology Group, Inc. and Trinity Technology | | |
| 22 | Group, LLC (collectively, "Defendant" or the "Parties"), by and through their respective counsel | | |
| 23 | of record, as follows: | | |
| 24 | WHEREAS, a Case Management Conference in this matter is presently set for October 7, | | |
| 25 | 2009; and | | |
| 26 | WHEREAS, Plaintiff and Defendant have been engaged in the negotiation of a fair, | | |
| 27 | reasonable, and adequate settlement; and | | |
| 28 | WHEREAS, the Parties recently reached a tentative agreement on terms of the Settlement | | |
| | NOTICE OF TENTATIVE SETTLEMENT AND JOINT STIPULATION | | |
| | TO CONTINUE CASE MANAGEMENT CONFERENCE | Case No. C 09-02412 EMC | |

| 1 | and require additional time to finalize such settlement; and | |
|----------|--|--|
| 2 | WHEREAS, the Parties contacted this Court's Clerk as soon as the need for continuance | |
| 3 | arose and were advised the Court's calendar may accommodate holding the Case Management | |
| 4 | Conference on November 4, 2009; | |
| 5 | THE PARTIES THEREFORE STIPULATE AND PROPOSE AS FOLLOWS: | |
| 6 | The Case Management Conference in this matter be rescheduled to November 4, 2009 at | |
| 7 | 1:30 p.m., pending finalization of a Settlement Agreement. A joint cmc statement shall be filed by October 28, 2009. | |
| 9 | IT IS SO STIPULATED. | |
| 10 | Dated: October 6, 2009 LAW OFFICES OF MICHAEL L. TRACY | |
| 11 | | |
| 12 | By: <u>/s/</u> Michael L. Tracy | |
| 13 | Megan Ross Hutchins Attorneys for Plaintiff | |
| 14 | PHILIP HERNANDEZ | |
| 15 | | |
| 16 | Dated: October 6, 2009 JACKSON LEWIS LLP | |
| 17 | | |
| 18 19 | By: <u>/s/</u> Timothy C. Travelstead | |
| 20 | Attorneys for Defendant(s) TRINITY TECHNOLOGY GROUP and | |
| 21 | TRINITY TECHNOLOGY GROUP, LLC | |
| 22 | PURSUANT TO STIPULATION, IT IS SO ORDERED. | |
| 23 | | |
| 24 | | |
| 25 | Dated: October 7, 2009 | |
| 26 | THE HONORABLE EDWARD M. CHEN, | |
| 27 | JUDGE OF THE UNITED STATES | |
| 28 | DISTRICT COURT | |
| | 2 | |