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Attorneys for Plaintiff MELISSA S. CURRIE-WHITE

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

MELISSA S. CURRIE-WHITE,  
 individually and on behalf of all others  
 similarly situated,

Plaintiff,

vs.

BLOCKBUSTER INC.; and DOES 1  
 through 50, inclusive,

Defendants.

Case No. 3:09-CV-02593 MMC

**STIPULATION AND ~~PROPOSED~~  
 ORDER MODIFYING ADR DEADLINE**

1 Plaintiff Melissa Currie-White ("Plaintiff") and Defendant Blockbuster Inc.  
2 ("Blockbuster"), the parties to the above-entitled action (collectively referred to herein as the  
3 "Parties"), submit this Stipulation to the Court:

4 **STIPULATION**

5 WHEREAS, on October 8, 2009, the Court issued an Order Selecting ADR Process in the  
6 above-entitled action ("Order");

7 WHEREAS, the Court's Order approved the stipulation between the Parties to participate  
8 in an Early Neutral Evaluation;

9 WHEREAS, according to the Court's Order, the deadline for the Parties to hold an Early  
10 Neutral Evaluation is 90 days from the date of the order, or January 6, 2010;

11 WHEREAS, the Parties and the assigned Evaluator initially set the Early Neutral  
12 Evaluation for January 4, 2010;

13 WHEREAS, the Parties are currently in the process of engaging in initial written  
14 discovery and depositions;

15 WHEREAS, the Parties will not have sufficient time to complete initial written discovery  
16 and depositions before the currently scheduled deadline to participate in an Early Neutral  
17 Evaluation, set for January 6, 2010;

18 WHEREAS, on December 18, 2009, the Parties participated in a pre-Evaluation telephone  
19 conference with the assigned Evaluator, during which the Parties and the Evaluator agreed that it  
20 would be beneficial for settlement purposes if the Parties completed additional discovery prior to  
21 participating in an Early Neutral Evaluation;

22 WHEREAS, the Parties have not previously requested any extensions of the deadlines set  
23 forth in the Court's Order; and

24 WHEREAS, for good cause and to promote settlement and avoid prejudice that would  
25 result to both Parties if the deadline to participate in an Early Neutral Evaluation is not revised,  
26 the Parties jointly request an extension of the deadline to participate in an Early Neutral  
27 Evaluation set forth in the Court's Order;

28 NOW, THEREFORE, Plaintiff and Blockbuster, through their undersigned respective

1  
2 counsel, stipulate and request that the Court approve the following revised deadline:

3 2/5/2010 Last day for Parties to participate in an Early Neutral Evaluation

4 To avoid prejudice to both Parties, GOOD CAUSE exists to modify the deadline in this  
5 action as described herein.

6 Dated: December 22, 2009

McINERNEY & JONES

7  
8 By 

Kevin J. McInerney  
Attorneys for Defendant  
MELISSA S. CURRIE-WHITE

9  
10 Dated: December , 2009

MORGAN, LEWIS & BOCKIUS LLP

11  
12 By \_\_\_\_\_

Daryl Landy  
Attorneys for Defendant  
BLOCKBUSTER INC.

13  
14  
15  
16  
17 **ORDER**

18 In light of the foregoing STIPULATION of the Parties and good cause appearing, the  
19 Court ORDERS the following revised deadline in this case:

20 2/5/2010 Last day for Parties to participate in an Early Neutral Evaluation

21 To avoid prejudice to both Parties, GOOD CAUSE exists to modify the deadline in this  
22 action as described herein.

23  
24 Dated: \_\_\_\_\_

Hon. Maxine M. Chesney  
United States District Court Judge

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3 To avoid prejudice to both Parties, GOOD CAUSE exists to modify the deadline in this  
4 action as described herein.

5 Dated: December , 2009

McINERNEY & JONES

7 By

Kevin J. McInerney  
Attorneys for Defendant  
MELISSA S. CURRIE-WHITE

9 Dated: December 22, 2009

MORGAN, LEWIS & BOCKIUS LLP

11 By

Daryl Landy  
Attorneys for Defendant  
BLOCKBUSTER INC.


16 **ORDER**

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24   
Hon. Maxine M. Chesney  
United States District Court Judge