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ABM JANITORIAL SERVICES – NORTHERN  
6 CALIFORNIA erroneously sued as ABM  
INDUSTRIES, INC.  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 EQUAL EMPLOYMENT  
11 OPPORTUNITY COMMISSION,

12 Plaintiffs,

13 v.

14 ABM INDUSTRIES, INC.,

15 Defendants.  
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Case No. CV9-4593-BZ

**STIPULATION EXTENDING  
DEADLINES; [PROPOSED] ORDER**

Trial Date: November 7, 2011  
Ctrm: G, 15th Floor  
Judge: Magistrate Judge. Bernard Zimmerman

1 WHEREAS Defendant has requested additional time to consider Judge Laurel  
2 Beeler's settlement proposal made during the June 20, 2011, settlement conference.

3 WHEREAS the parties agree that postponing depositions currently scheduled to allow  
4 Defendant additional time to respond to the settlement proposal is appropriate under the  
5 circumstances.

6 IT IS AGREED AND STIPULATED, by and between the parties to this action, as  
7 represented by counsel as follows:

8 1. The fact discovery deadline in this matter remains July 15, 2011, and the last  
9 day to file a motion to compel remains July 22, 2011, except that depositions  
10 to be taken or completed after June 20, 2011 can be scheduled up to and  
11 including July 29, 2011. The deadline to file a motion to compel related to  
12 depositions taken and/or completed after June 20, 2011 is August 5, 2011.

13 2. The last day to file a dispositive motion is extended two weeks to August 17,  
14 2011. The last day to oppose and serve any reply to any dispositive motion is  
15 also extended accordingly. The last day for a hearing on any dispositive  
16 motion is extended two weeks to September 21, 2011.

17 3. The EEOC does not oppose Defendant's Motion for Additional Depositions  
18 (which seeks to take twelve depositions beyond the ten deposition limit of the  
19 Federal Rules of Civil Procedure) and will produce for deposition those  
20 witnesses listed in Defendant's motion on whose behalf it seeks relief, plus an  
21 EEOC representative pursuant to Federal Rule of Civil Procedure 30(b)(6)  
22 (for a total of no more than twenty-two depositions), unless the EEOC is  
23 unable to locate any of these witnesses, in which case it will inform  
24 Defendant.

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4. Defendant stipulates to allow the EEOC to take three depositions of individuals previously identified to Defendant over the maximum of ten as provided by the Federal Rules of Civil Procedure, and that the EEOC can seek leave of the Court should it believe that it needs more than three additional depositions, but all such depositions must occur no later than July 29, 2011.

SO STIPULATED.

Dated: July 5, 2011

/S/ Matthew Marca  
MATTHEW MARCA  
LITTLER MENDELSON  
A Professional Corporation  
Attorneys for Defendant  
ABM JANITORIAL SERVICES—  
NORTHERN CALIFORNIA erroneously sued  
as ABM INDUSTRIES, INC.

Dated: July 5, 2011

/S/ Cindy O'Hara  
CINDY O'HARA  
Attorneys for Plaintiff  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

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PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED:

6 July '11

By:

Bernard Zimmerman  
Magistrate Judge Bernard Zimmerman

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