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 7 COMMISSION
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13 Attorneys for Plaintiff EQUAL EMPLOYMENT
 14 OPPORTUNITY COMMISSION

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

17 EQUAL EMPLOYMENT OPPORTUNITY
 18 COMMISSION,
 19 Plaintiff,
 20 v.
 21 ABM INDUSTRIES, INC.,
 22 Defendant.

Civil Action No. CV9-4593 BZ

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE INITIAL
 CASE MANAGEMENT
 CONFERENCE AND TO EXTEND
 DEADLINE FOR FILING JOINT
 CASE MANAGEMENT
 STATEMENT AND INITIAL
 DISCLOSURES**

Present Date for Case Management
 Conference: February 22, 2010
Proposed Date: March 22, 2010
 Present Filing Date for Case Management
 Statement: February 15, 2010
Proposed Date: March 15, 2010

Complaint Filed: September 29, 2009

1 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (“Plaintiff”) and
2 ABM JANITORIAL SERVICES—NORTHERN CALIFORNIA (“Defendant”) allegedly
3 erroneously sued as ABM Industries Inc., by and through their respective counsel, hereby
4 stipulate and request the Court to change the date for the parties’ Initial Case Management
5 Conference, currently set for February 22, 2010 and the deadline for filing their Joint Case
6 Management Statement and Initial Disclosures. Plaintiff will amend its original Complaint as a
7 matter of right pursuant to Federal Rule of Civil Procedure 15(a)(1) no later than February 5,
8 2010. Defendant agrees to withdraw its pending Motion to Dismiss, currently set for March 3,
9 2010. Given that an amended complaint is being filed, the Parties are unable to fully discuss all
10 issues in the Joint Case Management Conference and/or the required Initial Disclosures before the
11 current deadlines.

12 The Parties by and through this stipulation hereby request the following schedule:

13 **Date: March 15, 2010** **Last day to file Joint Case Management Statement and Rule**
26 Report and complete Initial Disclosures

14 **Date: March 22, 2010** **Initial Case Management Conference**

15 **E-filing certification:** I, Cindy O’Hara, certify that I have obtained the concurrence of Matthew
16 Marca, counsel for Defendant, for the filing of this Stipulation and [Proposed] Order to Continue
17 Initial Case Management Conference and to Extend Deadline for Filing Joint Case Management
18 Statement and Initial Disclosures.

19 DATED: February 4, 2010

LITTLER MENDELSON

20 By: /S/ Matthew D. Marca
21 MATTHEW D. MARCA
22 SARAH R. NICHOLS

23 Attorneys for Defendant
24 ABM JANITORIAL SERVICES—NORTHERN
CALIFORNIA

25 DATED: February 4, 2010

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

26 By: /S/ Cindy O’Hara
27 CINDY O’HARA
28 Attorney for Plaintiff EEOC

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ORDER

IT IS SO ORDERED AND THE NEW SCHEDULE IS AS FOLLOWS:

Date: March 15, 2010

Last day to file Joint Case Management Statement and Rule 26 Report and complete
Initial Disclosures

Date: March 22, 2010 at 4:00 p.m.

Initial Case Management Conference

Dated: February 5, 2010



Magistrate Judge Bernard Zimmerman