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CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

11 Plaintiff,

12 v.

13 ABM INDUSTRIES INC.,

14 Defendant.

Case No. CV9-4593 BZ

11 **STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

Complaint Filed: September 29, 2009

16 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (“Plaintiff”) and ABM
17 JANITORIAL SERVICES—NORTHERN CALIFORNIA (“Defendant”) allegedly erroneously sued
18 as ABM INDUSTRIES INC. by and through their respective counsel, hereby stipulate and request
19 the Court to orders as follows:

20 WHEREAS, a first stipulation and order to continue the parties’ Initial Case
21 Management Conference date and other related dates was filed on January 26, 2010 due to Plaintiff’s
22 counsel’s unavailability;

23 WHEREAS, a second stipulation and order to continue the parties’ Initial Case
24 Management Conference date and other related dates was filed on February 2, 2010 as Plaintiff
25 indicated they would file an amended complaint;

26 WHEREAS an amended complaint was filed on February 5, 2010;

27 WHEREAS Defendant’s Motion To Dismiss Plaintiff’s First Amended Complaint
28

1 For Failure To State A Claim, Or, In The Alternative, Motion For More Definite Statement was filed
2 on February 22, 2010;

3 WHEREAS, the hearing on Defendant's Motion To Dismiss Plaintiff's First
4 Amended Complaint For Failure To State A Claim, Or, In The Alternative, Motion For More
5 Definite Statement (the "Motion") is scheduled for May 5, 2010, the first available court date;

6 WHEREAS, Plaintiff and Defendant agree that an extension of the deadlines to file a
7 Rule 26(f) Report, complete initial disclosures or state objections in the Rule 26(f) Report and file
8 the Case Management Statement allows the parties to fully explore and discuss initial disclosures
9 and a discovery plan in light of the Court's ruling on the Motion, and so an extension of those
10 deadlines is in their respective best interests, as well as those of the Court, and best serves and
11 promotes the interests of justice.

12 WHEREAS there are no other court deadlines that would be affected by an extension
13 of the deadlines to file a Rule 26(f) Report, complete initial disclosures or state objections in the
14 Rule 26(f) Report and file the Case Management Statement.

1 Therefore the Court HEREBY ORDERS as follows:

2 a. The last day to file a Rule 26(f) Report, complete initial disclosures or
3 state objections in the Rule 26(f) Report and file the Case Management Statement is moved from
4 March 15, 2010 to **June 9, 2010**.

5 d. The initial Case Management Conference is rescheduled from March
6 22, 2010 to **June 14, 2010 at 4:00 p.m.** in Courtroom G, 15th Floor, San Francisco.

7 IT IS SO STIPULATED.

8
9 Dated: March 11, 2010

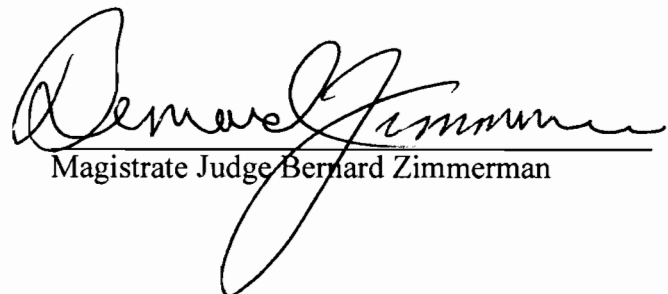
10 /S/ Matthew Marca
11 MATTHEW MARCA
12 LITTLER MENDELSON
13 A Professional Corporation
14 Attorneys for Defendant
15 ABM JANITORIAL SERVICES—
16 NORTHERN CALIFORNIA

17
18 Dated: March 11, 2010

19 /S/ Cindy O'Hara
20 CINDY O'HARA
21 Attorneys for Plaintiff
22 EQUAL EMPLOYMENT OPPORTUNITY
23 COMMISSION

24 IT IS SO ORDERED:

25
26 Dated: 12 March, 2010

27 
28 Magistrate Judge Bernard Zimmerman

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