

1 MICHAEL VON LOEWENFELDT (178665)
mvl@kerrwagstaffe.com

2 MICHAEL NG (237915)
mng@kerrwagstaffe.com

3 CHEROKEE D.M. MELTON (243265)
melton@kerrwagstaffe.com

4 **KERR & WAGSTAFFE LLP**
100 Spear Street, 18th Floor
5 San Francisco, CA 94105-1528
Telephone: (415) 371-8500
6 Fax: (415) 371-0500

7 ANTHONY C. MEREDITH (171094)
meredithlaw@yahoo.com

8 **LAW OFFICES OF ANTHONY C. MEREDITH**
303 Twin Dolphin Drive
9 6th Floor – Suite 600
Redwood City, CA 94065
10 Telephone: (650) 632-4474
Fax: (650) 585-5470

11 Attorneys for Plaintiffs
BAYARDO MARTINEZ and ROBERTO NAVARRO, on
12 behalf of themselves and those similarly situated

13
14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 BAYARDO MARTINEZ and ROBERTO
17 NAVARRO, on behalf of themselves and those
similarly situated,

18 Plaintiffs,

19 vs.

20 MAIN STREET CALIFORNIA II, INC., a
21 Delaware Corporation, and DOES 1 though
22 100,

23 Defendants.
24
25
26
27
28

Case No. 09 CV-05294-JL

**STIPULATION AND ~~[PROPOSED]~~
ORDER RE INITIAL CASE
MANAGEMENT CONFERENCE AND
ADR DEADLINES**

STIPULATION

1
2 1. Plaintiffs BAYARDO MARTINEZ and ROBERTO NAVARRO (“Plaintiffs”)
3 and Defendant, MAIN STREET CALIFORNIA II, INC. (“Defendant”) (collectively the
4 “Parties”), by and through their counsel of record, hereby stipulate as follows:

5 2. WHEREAS, this case was commenced on November 6, 2009, in the United States
6 District Court for the Northern District of California, and thereafter on December 2, 2009,
7 Defendants filed their Answer.

8 3. WHEREAS, on November 6, 2009, this Court issued an Order Setting Initial Case
9 Management Conference and ADR Deadlines.

10 4. WHEREAS, on March 11, 2010, the Parties stipulated and the Court ordered the
11 Initial Case Management Conference and ADR Deadlines be extended by 45 days, as follows:

- 12 a. The last day for the parties to meet and confer re: initial disclosures, early
13 settlement, ADR process selection, and discovery plan shall be continued to
14 April 12, 2010.
- 15 b. The last day for the parties to file the ADR Certification signed by the parties
16 and counsel shall be continued to April 12, 2010.
- 17 c. The last day for the parties to file either the Stipulation to ADR Process or the
18 Notice of Need for ADR Phone Conference shall be continued to April 12,
19 2010.
- 20 d. The last day for the parties to file their Rule 26(f) Report, complete initial
21 disclosures or state objections in Rule 26(f) Report and file Case management
22 Conference Statement per attached Standing Order re Contents of a Joint Case
23 Management Statement shall be continued to April 26, 2010.
- 24 e. The Initial Case Management Conference shall be continued to May 5, 2010.

25 5. WHEREAS, the parties have engaged in informal discovery and have met and
26 conferred in person and on the telephone regarding, among other things, the status of the case
27 and settlement.

28 6. WHEREAS, the parties agree that further informal discovery and discussions are

1 necessary in order to properly evaluate the case and meaningfully comply with their obligations
2 under Rule 26 of the Federal Rules of Civil Procedure and the Local Rules regarding case
3 management and ADR.

4 **NOW THEREFORE**, the parties have agreed, subject to the Court’s approval, that the
5 deadlines set in the Order Setting Initial Case Management Conference and ADR Deadlines shall
6 be continued for approximately 30 days, as follows:

- 7 a. The last day for the parties to meet and confer re: initial disclosures, early
8 settlement, ADR process selection, and discovery plan shall be continued
9 to May 12, 2010.
- 10 b. The last day for the parties to file the ADR Certification signed by the
11 parties and counsel shall be continued to May 12, 2010.
- 12 c. The last day for the parties to file either the Stipulation to ADR Process or
13 the Notice of Need for ADR Phone Conference shall be continued to May
14 12, 2010.
- 15 d. The last day for the parties to file their Rule 26(f) Report, complete initial
16 disclosures or state objections in Rule 26(f) Report and file Case
17 management Conference Statement per attached Standing Order re
18 Contents of a Joint Case Management Statement shall be continued to
19 May 26, 2010.
- 20 e. The Initial Case Management Conference shall be continued to ~~June 0,~~
21 2010.

22 **IT IS SO STIPULATED.**

23 //
24 //
25 //
26 //
27 //
28 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Contents of a Joint Case Management Statement shall be continued to
May 26, 2010.

e. The Initial Case Management Conference shall be continued to June 9, 2010.

16

IT IS SO ORDERED.

DATED: April 14, 2010



Hon. James Larson
UNITED STATES MAGISTRATE JUDGE