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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DEBORAH NORK, LEE ROBERTS and  
BAKER’S BOUQUET,

Plaintiffs,

vs.

DESIGNED COOKIES, INC.,

Defendants.

No. CV 09-5336 CRB

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE

Current Initial Case Management  
Conference Date: August 20, 2010  
at 8:30 a.m. in Courtroom 8

Proposed New Initial Case Management  
Conference Date: September 10, 2010  
at 8:30 a.m. in Courtroom 8

The Honorable Charles R. Breyer

Pursuant to Civil Local Rules 6-1(b) and 6-2 of the United States District Court for the Northern District of California, Plaintiff, Baker’s Bouquet (“Baker’s”) and Defendant Designed Cookies, Inc. (“DCI”), by and through their respective counsel, hereby stipulate and agree to the following:

1           On June 29, 2010, and pursuant to a Stipulation filed by the parties, the Court entered an  
2 Order Continuing Initial Case Management Conference and ADR Deadlines in the above-  
3 referenced matter. *See* D.E. #86. While the parties had requested that the Case Management  
4 Conference be continued from July 2, 2010 at 8:30 a.m. to August 13, 2010 at 8:30 a.m., the  
5 Court, in fact, continued the Case Management Conference to August 20, 2010 at 8:30 a.m. *See*  
6 D.E. #86. In addition, the Court required the parties to file their Rule 26(f) Report, complete  
7 initial disclosures or state objection in Rule 26(f) report and file Case Management Statement by  
8 July 30, 2010. *See* D.E. #86.

9           Simultaneous herewith, and consistent with the Court's Order dated June 29, 2010, the  
10 sole remaining Plaintiff, Baker's, and DCI are filing their Joint Case Management Conference  
11 Statement.<sup>1</sup> Baker's and DCI's respective principals have reached out to each other to discuss  
12 Baker's current status as a franchisee of DCI and a potential resolution of their grievances  
13 against each other. In addition, during the period from August 14, 2010 through August 29,  
14 2010, Baker's counsel, Himanshu M. Patel, Esq., is going to be out of the country on his  
15 honeymoon.

16           Based on the foregoing conflict of Baker's counsel, and in the interests of judicial  
17 economy, to preserve the parties' resources, and to facilitate continued settlement discussions  
18 between Baker's and DCI, the Parties respectfully request that the Court continue the Initial  
19 Case Management Conference from August 20, 2010 at 8:30 a.m. to September 10, 2010 at 8:30  
20 a.m.

21           **WHEREFORE**, Plaintiff, BAKER's BOUQUET, INC., and Defendant, DESIGNED  
22 COOKIES, INC., respectfully request that this Honorable Court enter an Order: (i) granting the  
23 instant Stipulation Continuing Initial Case Management Conference; and (ii) granting such other  
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27           <sup>1</sup> On June 24, 2010, Plaintiff Deborah Nork and DCI filed a Stipulation and [Proposed] Order of Dismissal  
28 without Prejudice pursuant to which they resolved their differences. *See* D.E. #83. On June 28, 2010, the Court  
entered an Order of Dismissal without Prejudice. *See* D.E. #85.

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and further relief as this Honorable Court deems just and proper.

Respectfully submitted,

Dated: July 30, 2010

ZARCO EINHORN SALKOWSKI & BRITO, P.A.

By: /s/ Himanshu M. Patel  
HIMANSHU M. PATEL  
Attorneys for Plaintiff

Dated: July 30, 2010

LOVE & ASSOCIATES

By: /s/ Kristen L. Williams  
KRISTEN L. WILLIAMS  
Attorneys for Defendant

ATTESTATION CLAUSE

I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

By: /s/ Himanshu M. Patel  
HIMANSHU M. PATEL



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6. This is the fifth (5<sup>th</sup>) stipulation to modify the schedule set by the Order Setting Initial Case Management Conference And ADR Deadlines [D.E. #3] and the Clerk’s Notice dated December 16, 2009 [D.E. #18]. The Parties request the extension not for delay but so that they may attempt to resolve the grievances between the last remaining Plaintiff and DCI and, thereby, reduce the expense to all parties.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 30<sup>th</sup> day of July 2010 in Miami, Miami-Dade County, Florida.

By: /s/ Himanshu M. Patel  
HIMANSHU M. PATEL

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~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation and Local Rule 6-1(b) and 6-2 and good cause appearing, it is hereby ordered that the Initial Case Management Conference shall be continued from August 20, 2010 at 8:30 a.m. to September 10, 2010 at 8:30 a.m.

IT IS SO ORDERED.

Dated: August 02, 2010

