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Attorneys for Plaintiff
ROBERT KEMPER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT KEMPER)
)
 Plaintiff,)
)
 vs.)
)
 BAYSIDE BOATWORKS, INC., and)
 DOES 1 through 20, inclusive,)
)
 Defendants.)
 _____)

CASE NO. 3:10-cv-00242-MEJ
**STATUS REPORT AND
REQUEST FOR CONTINUANCE
OF INITIAL CASE
MANAGEMENT CONFERENCE**

Plaintiff has not yet served defendant BAYSIDE BOATWORKS, INC. Plaintiff, through his separate workman’s compensation counsel, is attempting to negotiate a global settlement of this action (and the companion compensation claim), and if successful, would result in the dismissal of this action. The deadline for service of the complaint is May18, 2010, and thus a responsive pleading would be due no later than June 7, 2010. However, according to the Court’s Scheduling Order dated January 19, 2010, an Initial Case Management conference is set for April 29, 2010.

In order to allow the defendant to be served and to appear, and for the parties to

1 complete the current settlement discussions, Plaintiff respectfully requests that the
2 Court continue the Initial Case Management Conference and related dates until a date
3 after June 7, 2010.

4 Respectfully submitted.

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6 DATED: April 27, 2010

BRODSKY MICKLOW BULL & WEISS LLP

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9 By: /S/ Edward M. Bull III
Kurt Micklow
Edward M. Bull III

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11 Attorneys for Plaintiff
ROBERT KEMPER

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13 The CMC is hereby CONTINUED to June 17, 2010. All deadlines are adjusted accordingly.

14 Dated: April 27, 2010

