

1 Patrick B. Streb/State Bar No. 116555
 2 WELTIN, STREB & WELTIN
 3 1432 Martin Luther King Jr. Way
 4 Oakland, CA 94612
 5 Telephone: 510-251-6060
 6 Facsimile: 510-251-6040

7 Attorneys for Plaintiff
 8 ERIC MONTENEGRO

9 James B. Nebel/State Bar No.69626
 10 FLYNN, DELICH & WISE LLP
 11 343 Sansome Street, Suite 540
 12 San Francisco, California 94104
 13 Telephone: 415-693-5566
 14 Facsimile: 415-693-0410

15 Attorneys for Defendant
 16 WAN HAI LINES (SINGAPORE) PTE LTD.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

19 ERIC MONTENEGRO,

20 Plaintiff,

21 vs.

22 WAN HAI LINES (SINGAPORE) PTE LTD.,
 23 et al.,

24 Defendants.

Case No.: C 10-000581 JCS

**STIPULATION AND [PROPOSED]
 ORDER SETTING CERTAIN PRETRIAL
 DATES**

25 At the Case Management Conference that was held on April 22, 2011, the Court set this
 26 matter for jury trial to commence on February 6, 2012 at 8:30 a.m. in Courtroom A, 15th Floor.
 27 The Court also directed the parties to stipulate as to certain other pretrial dates and to submit a
 28 proposed Order.

FLYNN, DELICH & WISE LLP
 ATTORNEYS AT LAW
 ONE WORLD TRADE CENTER, SUITE 1800
 LONG BEACH, CALIFORNIA 90831-1800

(562)435-2626

1 Accordingly, the parties to this action, plaintiff ERIC MONTENEGRO, and defendant,
2 WAN HAI LINES (SINAGAPORE) PTE LTD., by and through their counsel of record, stipulate
3 and request the Court to enter an Order as follows.

4 **DISCOVERY**

- 5 1. All non-expert discovery shall be completed by October 1, 2011.
- 6 2. All expert disclosures required by Federal Rules of Civil Procedure shall be made by
7 October 15, 2011. Expert rebuttal disclosures shall be completed by November 5,
8 2011.
- 9 3. In lieu of filing formal discovery motions, lead trial counsel for plaintiff and lead trial
10 counsel for defendant shall meet and confer in person regarding the subject matter of
11 the motion(s) in an effort to resolve these matters. After attempting other means to
12 confer on the issue (i.e., letter, phone call, e-mail) any party may demand such a
13 meeting on ten (10) business days' notice. The location of the meeting will alternate
14 with the first location selected by counsel for plaintiff, the second by counsel for
15 defendant, etc. Within five (5) business days of the lead trial counsel's meet-and-
16 confer session, the parties shall provide a detailed joint letter to the Court. This joint
17 letter shall include a description of every issue in dispute and, with respect to each such
18 issue, a detailed summary of each party's final substantive position and their final
19 proposed compromise on each issue. Upon receipt of the joint letter, the Court will
20 determine what future proceedings are necessary.

21 **MOTIONS**

- 22 4. All dispositive motions shall be served and filed not less than thirty-five (35) days prior
23 to the scheduled hearing date of November 18, 2011, at ~~9:30 a.m.~~ ^{1:30 p.m.} Any opposition
24 shall be served and filed no later than twenty-one (21) days prior to the hearing date.
25 Any reply to the opposition shall be served and filed no later than fourteen (14) days
26 prior to the date of the hearing.

27 With respect to motions for summary judgment, parties shall follow the procedure's
28 outlined in Judge Spero's standing Order.

