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 8 WORLDWIDE, INC.  
 (erroneously sued herein as St. Regis Hotel)

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12 Attorneys for Defendant  
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CURIALE HIRSCHFELD KRAEMER LLP  
 ATTORNEYS AT LAW  
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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

18 WILBERT RADFORD,  
 19 Plaintiff,  
 20 vs.  
 21 LOCAL UNION #2,  
 22 Defendant.

23 WILBERT RADFORD,  
 24 Plaintiff,  
 25 vs.  
 26 ST. REGIS HOTEL,  
 27 Defendant.

Case No. 3:10-cv-00745-EDL  
 Case No. 3:10-cv-02338-EDL

**JOINT STIPULATION AND [PROPOSED]  
 COURT ORDER TO TAKE PLAINTIFF'S  
 DEPOSITION PRIOR TO SETTLEMENT  
 CONFERENCE**

**Complaint Filed: May 27, 2010  
 Trial Date: August 29, 2011**

1 TO THE COURT:

2 WHEREAS, the Settlement Conference was re-scheduled from November 2, 2010 to  
3 November 19, 2010 as per the parties' stipulation;

4 WHEREAS, assigned Settlement Conference Magistrate Judge Maria-Elena James  
5 subsequently became unavailable on November 19, 2010 and vacated the Settlement Conference  
6 scheduled for that day;

7 WHEREAS, the Court has advised that there is no other available date for a Settlement  
8 Conference with a Magistrate Judge where all parties are available until February 4, 2011 and  
9 scheduled the Settlement Conference with Magistrate Judge Nandor Vadas for February 4, 2011;

10 WHEREAS, in the Civil Minutes of the Scheduling Conference on October 19, 2010,  
11 Magistrate Elizabeth D. Laporte ordered that no depositions shall be taken before a Settlement  
12 Conference;

13 WHEREAS, Defendants wish to take the oral deposition of the Pro Se Plaintiff soon in  
14 anticipation of the trial date scheduled to begin August 29, 2011; and,

15 WHEREAS, the Plaintiff, acting in *pro se*, informed counsel for Starwood Hotels &  
16 Resorts Worldwide, Inc. on November 24, 2010 that he stipulates that Defendants may take his  
17 oral deposition prior to a Settlement Conference;

18 IT IS HEREBY STIPULATED, by and between the parties through their respective  
19 counsel of record, that Defendants may take the oral deposition of Plaintiff before any Settlement  
20 Conference.

21  
22 Dated: December 3, 2010

CURIALE HIRSCHFELD KRAEMER LLP

23  
24 By: /s/ Kristin-L-Oliveira

25 John F. Baum  
26 Kristin L. Oliveira  
27 Attorneys for Defendant  
28 STARWOOD HOTELS & RESORTS  
WORLDWIDE, INC. (erroneously sued herein  
as St. Regis Hotel)

CURIALE HIRSCHFELD KRAEMER LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

1 Dated: December 3, 2010

LEONARD CARDER LLP

2  
3 By: /s/ Beth-A.-Ross

4 Beth A. Ross  
5 Attorneys for Defendant  
6 UNITE HERE LOCAL 2

7 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
8 "conformed" signature (/S/) within this e-filed document.

9 By: /s/ Kristin-L-Oliveira

10  
11 **[PROPOSED] COURT ORDER**

12 Defendants may take the oral deposition of Plaintiff before the Settlement Conference  
13 occurs.

14 **IT IS SO ORDERED:**

15  
16 Dated: December 6, 2010

17 By: *Elizabeth D. Laporte*  
18 Magistrate Judge Elizabeth D. Laporte  
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CURIALE HIRSCHFELD KRAEMER LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am a citizen of the United States and a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 727 Sansome Street, San Francisco, CA 94111. On December 3, 2010, I served the following document(s) by the method indicated below:

JOINT STIPULATION AND [PROPOSED] COURT ORDER TO TAKE PLAINTIFF'S DEPOSITION PRIOR TO SETTLEMENT CONFERENCE

- by placing the document(s) listed above in a sealed envelope(s) with postage thereon fully prepaid, in the **United States mail** at San Francisco, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited in the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- by placing the document(s) listed above in a sealed envelope(s) and by causing **messenger delivery** of the envelope(s) to the person(s) at the address(es) set forth below. I am readily familiar with the business practice of my place of employment with respect to the collection and processing of correspondence, pleadings and notices for hand delivery. On December 2, 2010, I caused to be served via messenger the above-listed documents.
- by **personally delivering** the document(s) listed above to the person(s) at the address(es) set forth below.
- by placing the document(s) listed above in a sealed envelope(s) and consigning it to an **express mail service** for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below.

Mr. Wilbert Radford  
137 Santa Cruz Avenue  
Daly City, CA 94014  
*Plaintiff pro se*

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that I am employed by an officer of a member of the bar of this Court at whose direction the service was made. Executed on December 3, 2010 at San Francisco, California.

  
\_\_\_\_\_  
Patricia Brown

CURIALE HIRSCHFELD KRAEMER LLP  
ATTORNEYS AT LAW  
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