

1 Kenneth N. Frucht, Esq.
 Frederick J. Geonetta, Esq.
 2 GEONETTA & FRUCHT, LLP
 100 Montgomery Street, Suite 1600
 3 San Francisco, CA 94104
 Attorneys for Plaintiff
 4 Telephone: (415) 433.4589
 Facsimile: (415) 392.7973

5 Attorneys for Plaintiff
 6 DAVID REY

7 Steven R. Blackburn, State Bar No. 154797
 Matthew A. Goodin, State Bar No. 169674
 8 Lauren M. Cooper, State Bar No. 254580
 EPSTEIN BECKER & GREEN, P.C.
 9 One California Street, 26th Floor
 San Francisco, California 94111-5427
 10 Telephone: 415.398.3500
 Facsimile: 415.398.0955
 11 sblackburn@ebglaw.com
 mgoodin@ebglaw.com
 12 bbrown@ebglaw.com

13 Attorneys for Defendants,
 C&H SUGAR COMPANY, INC. and
 14 AMERICAN SUGAR REFINING, INC.

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

19 DAVID REY,

20 Plaintiff,

21 v.

22 C&H SUGAR COMPANY, INC., a Delaware
 Corporation, AMERICAN SUGAR
 23 REFINING, INC., a Delaware Corporation,
 and DOES 1-100, inclusive,

24 Defendant.
 25

CASE NO. CV 10-01970 SI

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE PRE-TRIAL
 DATES**

26
 27 The parties hereby stipulate and agree as follows:

28 WHEREAS; the parties took longer than expected to complete the electronically stored

1 information (“ESI”) collection due to an error caused by Defendant’s third-party vendor.

2 WHEREAS; the parties have agreed to mediate this matter and would like to do so
3 before incurring expense to prepare and oppose motions for summary judgment.

4 WHEREAS; Plaintiffs would like to complete the depositions of third-party witnesses
5 Francine Cronin and Kim Merritt prior to participating in mediation.

6 THE PARTIES HEREBY AGREE AND REQUEST a continuance of the pre-trial dates
7 as follows:

8 Dispositive motions:

- 9 • Filed by: August 31, 2012
- 10 • Opp. due by: September 14, 2012
- 11 • Reply due by: September 21, 2012
- 12 • Set for hearing no later than: October 5, 2012 at 9:00 a.m.

13 Non-Expert Discovery cutoff: October 8, 2012

14 Expert designation: August 17, 2012

15 Rebuttal expert designation: September 17, 2012

16 Expert discovery cutoff: October 8, 2012

17 Pretrial conference: November 5, 2012 at 3:30 p.m.

18 Jury Trial: November 19, 2012 at 8:30 a.m.

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 DATED: June 11, 2012

GEONETTA & FRUCHT, LLP

2 By: /s/ Kenneth N. Frucht
3 Kenneth N. Frucht, Esq.
4 Frederick J. Geonetta, Esq.
Attorneys for Plaintiffs
5 DAVID REY

6 DATED: June 11, 2012

EPSTEIN BECKER & GREEN, P.C.

7 By: /s/ Lauren M. Cooper
8 Steven R. Blackburn
9 Matthew A. Goodin
10 Lauren M. Cooper
Attorneys for Defendants,
11 C&H SUGAR COMPANY, INC. and
AMERICAN SUGAR REFINING, INC.

12 **[PROPOSED] ORDER**

13 IT IS HEREBY ORDERED that the pre-trial dates are continued as follows:

14 Dispositive motions:

- 15 • Filed by: August 31, 2012
- 16 • Opp. due by: September 14, 2012
- 17 • Reply due by: September 21, 2012
- 18 • Set for hearing no later than: October 5, 2012 at 9:00 a.m.

19 Non-Expert Discovery cutoff: October 8, 2012

20 Expert designation: August 17, 2012

21 Rebuttal expert designation: September 17, 2012

22 Expert discovery cutoff: October 8, 2012

23 Pretrial conference: November 5, 2012 at 3:30 p.m.

24 Jury Trial: November 19, 2012 at 8:30 a.m.

25
26 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

27 Date: 6/12/12

28 

JUDGE OF THE DISTRICT COURT