

1 ALAN HARRIS (CA Bar No. 146079)
aharris@harrisandruble.com
 2 ABIGAIL TREANOR (CA Bar No. 228610)
 atreanor@harrisandruble.com
 3 HARRIS & RUBLE
 6424 Santa Monica Boulevard
 4 Los Angeles, California 90038
 Telephone: (323) 962-3777
 5 Facsimile: (323) 962-3004

6 DAVID S. HARRIS (CA Bar No. 215224)
dsh@northbaylawgroup.com
 7 NORTH BAY LAW GROUP
 116 E. Blithedale Avenue, Suite #2
 8 Mill Valley, California 94941-2024
 Telephone: (415) 388-8788
 9 Facsimile: (415) 388-8770

10 Attorneys for Plaintiff
 THOMAS SCHULTZ

11 ROBERT A. DOLINKO (CA Bar No. 076256)
rdolinko@nixonpeabody.com
 12 SETH L. NEULIGHT (CA Bar No. 184440)
sneulight@nixonpeabody.com
 13 NIXON PEABODY LLP
 One Embarcadero, Suite 1800
 14 San Francisco, CA 94111
 Telephone: (415) 984-8200
 15 Facsimile: (415) 984-8300

16 Attorneys for Defendant
 17 HERTZ EQUIPMENT RENTAL CORPORATION

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20 THOMAS SCHULTZ, individually and on
 21 behalf of all others similarly situated,

22 Plaintiff,

23 vs.

24 HERTZ EQUIPMENT RENTAL
 25 CORPORATION, and DOES 1 to 20,

26 Defendants

Case No.: 3:10-cv-02888-RS

**STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING ADR DEADLINE
 AND CONTINUING CASE
 MANAGEMENT CONFERENCE**

Courtroom: 3 (17th Floor)
 Judge: Hon. Richard Seeborg

1 The parties hereby jointly stipulate as follows:

2 WHEREAS, the instant matter was referred to panel mediation through the ADR
3 Department of the Northern District of California. The parties are currently scheduled to mediate
4 with Mr. Victor Schacter on March 10, 2011;

5 WHEREAS, a Further Case Management Conference is currently scheduled to take place
6 on April 14, 2011 at 10:00 a.m. in Courtroom 3, 17th Floor, San Francisco, before the Honorable
7 Richard Seeborg;

8 WHEREAS, the parties respectfully request that the Court grant a continuance of the
9 parties' mediation deadline as the parties are in need of additional time in order to exchange
10 information and documentation to ensure the mediation session is as productive as possible; and

11 WHEREAS, Mr. Victor Schacter has indicated that he is unavailable to mediate during the
12 period of time the parties wish to schedule a mediation. As a result, the parties have requested
13 reassignment to another mediator.

14 IT IS THEREFORE STIPULATED AND AGREED that the parties shall complete
15 mediation on or before May 27, 2011. The parties further stipulate to continue the Further Case
16 Management Conference until June 9, 2011 at 10:00 a.m. in Courtroom 3, 17th Floor, San
17 Francisco if that is convenient to the Court. The parties shall file a Joint Case Management
18 Statement at least one week prior to the Conference.

19 **IT IS SO STIPULATED.**

20

21 Date: February 17, 2011

22

23

24

25

26

27

28

Respectfully submitted,

HARRIS & RUBLE

By _____
Alan Harris

NORTH BAY LAW GROUP

By _____
David S. Harris

Attorneys for Plaintiff
THOMAS SCHULTZ

1 Date: February 17, 2011

NIXON PEABODY LLP

2 By _____ /s/
3 Robert A. Dolinko
4 Attorneys for Defendant
5 HERTZ EQUIPMENT RENTAL
6 CORPORATION

7 **IT IS HEREBY ORDERED AS FOLLOWS:**

8 The parties shall complete mediation on or before May 27, 2011. The Further Case
9 Management Conference is continued to June 9, 2011 at 10:00 a.m. in Courtroom 3. The parties
10 shall file a Joint Case Management Statement at least one week prior to the Conference.

11 DATED: February 17, 2011



12 Honorable Richard Seeborg
13 *United States District Judge*