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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

1 JAMES PAUL BAUTISTA,

2 Case No. C 10-03578 RS

3 Plaintiff,

4 **JOINT STIPULATION AND [PROPOSED]**
5 **ORDER MODIFYING CASE**
6 **MANAGEMENT ORDER**

7 v.

8 CENTRAL PARKING SYSTEM, INC.,

9 Defendant.

STIPULATION

Subject to the approval of the Court, Plaintiff James Paul Bautista and Defendant Central Parking Systems, Inc., through their respective counsel of record, hereby stipulate to the following:

WHEREAS,

1. On February 18, 2011, the Court issued a Case Management Order (Docket No. 21) setting the following deadlines: (a) on or before September 30, 2011, all non-expert discovery must be completed by the parties; (b) on or before November 2, 2011, plaintiff must disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2); (c) on or before November 16, 2011, defendant must disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2); (d) on or before November 30, 2011, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) must be completed. The Court also ordered the parties to complete mediation within 120 days, and set a Further Case Management Conference to be held on December 15, 2011 at 10:00 a.m.

2. The Court-appointed mediator, Peter W. Sherwood, did not contact the parties until June 14, 2011. Accordingly, on June 16, 2011, the parties submitted a stipulation and proposed order to the Court requesting an extension of the mediation deadline.

3. On June 20, 2011, the Court granted the ADR extension and set November 30, 2011 as the last day to complete mediation (Docket No. 29).

4. The parties are in the process of scheduling the mediation, anticipated to be in October or November, 2011.

5. The parties have conducted informal fact finding and there has been some written discovery. Plaintiff was deposed in a related workers compensation action. In an effort to conserve attorneys' fees and other resources, the parties have agreed to forego further formal discovery until after the mediation.

6. Not long after the mediation in this case will conclude, Plaintiff's counsel is scheduled for trial in the Eastern District of California. This scheduled trial was considered in setting the proposed new discovery deadlines identified below.

The parties also request that the Court continue the December 15, 2011 Case Management Conference in light of the mediation schedule and extended discovery deadlines.

NOW THEREFORE,

Subject to approval by the Court, the parties stipulate to the following revised Case Management Order:

1. On or before March 30, 2012, all non-expert discovery shall be completed by the parties. Discovery shall be limited as stated in the February 18, 2011 Case Management Order (Docket No. 21).

2. On or before May 2, 2012, plaintiff shall disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2);

3. On or before May 16, 2012, defendant must disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2);

4. On or before May 30, 2012, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) must be completed.

5. A Further Case Management Conference shall be held on June 21, 2012 at 10:00 a.m., or some other date and time which is convenient for and set by the Court, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall file a Joint Case Management Statement at least one week prior to the Conference.

IT IS SO STIPULATED.

Dated: September 2, 2011

/S/
ARTHUR M. EIDELHOCH
MAUREEN RODGERS
LITTLER MENDELSON
Attorneys for Defendant
CENTRAL PARKING SYSTEM, INC.

Dated: September 2, 2011

/S/

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Pursuant to the parties' stipulation modifying the Case Management Order, and good cause appearing therefore, the Court HEREBY ORDERS that the parties shall adhere to the following revised Case Management Order:

1. On or before March 30, 2012, all non-expert discovery shall be completed by the parties. Discovery shall be limited as stated in the February 18, 2011 Case Management Order (Docket No. 21).

2. On or before May 2, 2012, plaintiff shall disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2);

3. On or before May 16, 2012, defendant must disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2);

4. On or before May 30, 2012, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) must be completed.

5. The Case Management Conference currently set for December 15, 2011 shall be continued to June 21, 2012 at 10:00 a.m. in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall file a Joint Case Management Statement at least one week prior to the Conference.

Dated: 9/2, 2011


HON. RICHARD SEEBORG
United States District Court Judge

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