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7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

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 11 U.S. EQUAL EMPLOYMENT  
 OPPORTUNITY COMMISSION,

12 Plaintiff,

13 v.

14 CVS CAREMARK CORP.; AND LONGS  
 15 DRUG STORES CALIFORNIA, LLC.,

16 Defendant.

Case No. C 10-04384 RS

**STIPULATION CONTINUING  
 INITIAL CASE MANAGEMENT  
 CONFERENCE AND RELATED  
 DATES**

17  
 18 Pursuant to Civil Local Rule 6-2, Plaintiff U.S. Equal Employment Opportunity  
 19 Commission (“EEOC”) and Defendants CVS Caremark Corp. (“CVS”) and Longs Drug Stores  
 20 California, LLC (“Longs”) (collectively “Defendants”), by and through their respective counsel  
 21 of record, hereby submit this Stipulation and Proposed Order seeking a continuance of the due  
 22 date for the dates set forth in the December 13, 2010 Order Continuing Due Date For Defendants’  
 23 Answer and Dates Listed In Order Setting Initial Case Management Conference and ADR  
 24 Deadlines Setting Initial Case Management Conference and ADR Deadlines;

25 WHEREAS, on December 10, 2010, the parties submitted a stipulation to continue dates  
 26 set forth in the Court’s Order setting Initial Case Management Conference and ADR Deadlines in  
 27 order to allow time for the parties to engage in preliminary and informal settlement negotiations;

28 WHEREAS, the Court granted that stipulation on December 13, 2010;

1 WHEREAS, the parties engaged in in-person, informal settlement negotiations in an  
2 attempt to resolve this case;

3 WHEREAS, the parties believe they are close to resolving this case;

4 WHEREAS, the parties have agreed upon the monetary terms for settlement to include in  
5 a joint consent decree;

6 WHEREAS, the parties are still negotiating and exchanging proposals for the injunctive  
7 relief terms for a joint consent decree;

8 WHEREAS, the parties are optimistic that they will be able to agree on the injunctive  
9 relief terms if given some additional time;

10 WHEREAS, the parties agree that, if they are required to spend a significant amount of  
11 time engaging in initial disclosures, preparing for the case management conference or other  
12 substantive proceedings, then the chances of the parties finally resolving this case at an early  
13 stage will be put in jeopardy;

14 WHEREAS, the parties jointly request time to allow their informal settlement efforts to  
15 run their course before having to engage in substantive discovery and activity in this case;

16 WHEREAS, Defendants answered the Complaint on February 1, 2011;

17 WHEREAS, the last day to meet and confer regarding initial disclosures, early settlement,  
18 ADR process selection, and discovery plan is February 3, 2011;

19 WHEREAS, the ADR Certification signed by Parties and Counsel is due to be filed with  
20 the Court on February 3, 2011;

21 WHEREAS, the Stipulation to ADR Process or Notice of Need for ADR Phone  
22 Conference is due to be filed with the Court on February 3, 2011;

23 WHEREAS, the last day to file the Rule 26(f) Report, complete initial disclosures or state  
24 objections in the Rule 26(f) Report, and file the Case Management Statement is February 17,  
25 2011;

26 WHEREAS, the Initial Case Management Conference is scheduled for February 24, 2011;

27 WHEREAS, the parties do not object to the time modifications set forth below;  
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1           WHEREAS, counsel for both parties do not believe that the time modifications will cause  
2 any problems or difficulties with respect to the case;

3           WHEREAS, there has been only one previous time modification in this case, as set forth  
4 above; and

5           WHEREAS, the requested time modifications would not significantly affect the schedule  
6 for this case;

7           THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

8           (1) The last day to meet and confer regarding initial disclosures, early settlement, ADR  
9 process selection, and discovery plan be continued until March 10, 2011;

10           (3) The due date to file the ADR Certification signed by Parties and Counsel be continued  
11 until March 10, 2011;

12           (4) The due date to file the Stipulation to ADR Process or Notice of Need for ADR Phone  
13 Conference be continued until March 10, 2011;

14           (5) The last day to file the Rule 26(f) Report, complete initial disclosures or state  
15 objections in the Rule 26(f) Report, and file the Case Management Statement be continued until  
16 March 24, 2011; and

17           (6) The Initial Case Management Conference be continued until March 31, 2011.

18           IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.  
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Dated: February 2, 2011

GARY R. SINISCALCO  
MICHAEL D. WEIL  
Orrick, Herrington & Sutcliffe LLP

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/s/  
MICHAEL D. WEIL  
Attorneys for Defendants

Dated: February 2, 2011

DAVID OFFEN-BROWN  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

\_\_\_\_\_  
/s/  
DAVID OFFEN-BROWN  
Attorney for Plaintiffs

I hereby attest that the concurrence in the filing of this document has been obtained from  
David Offen-Brown, Attorney for Plaintiff, Equal Employment Opportunity Commission.

\_\_\_\_\_  
/s/  
Michael D. Weil

1 **ORDER**

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3 On reading the Stipulation of the parties, and for good cause shown,

4 (1) The last day to meet and confer regarding initial disclosures, early settlement, ADR  
5 process selection, and discovery plan be continued until March 10, 2011;

6 (3) The due date to file the ADR Certification signed by Parties and Counsel be continued  
7 until March 10, 2011;

8 (4) The due date to file the Stipulation to ADR Process or Notice of Need for ADR Phone  
9 Conference be continued until March 10, 2011;

10 (5) The last day to file the Rule 26(f) Report, complete initial disclosures or state  
11 objections in the Rule 26(f) Report, and file the Case Management Statement be continued until  
12 March 24, 2011; and

13 (6) The Initial Case Management Conference be continued until March 31, 2011.

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 Dated: February 3, 2011

16 

17 RICHARD SEEBORG  
18 U.S. DISTRICT COURT JUDGE