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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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 AS MODIFIED BY THE COURT**

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 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 February 3, 2011 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, on February 2, 2011 the parties submitted a second stipulation to continue
2 dates set forth in the Court's Order setting Initial Case Management Conference and ADR
3 Deadlines in order to allow time for the parties to engage in preliminary and informal settlement
4 negotiations;

5 WHEREAS, the Court granted that stipulation on February 3, 2011;

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

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

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

11 WHEREAS, the parties have agreed on almost every injunctive relief term for a joint
12 consent decree;

13 WHEREAS, the parties are still negotiating one final injunctive relief term regarding the
14 revision of CVS policies and method of dissemination;

15 WHEREAS, the parties believe they are very close to coming to an agreement on this last
16 term;

17 WHEREAS, the parties were hopeful and optimistic that they would to submit a joint
18 consent decree to the Court this week, but need just a little more time;

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

21 WHEREAS, the parties are very optimistic that they will be able to submit a joint consent
22 decree to the Court within 14 days, and likely earlier;

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

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

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

3 WHEREAS, the last day to meet and confer regarding initial disclosures, early settlement,
4 ADR process selection, and discovery plan is March 10, 2011;

5 WHEREAS, the ADR Certification signed by Parties and Counsel is due to be filed with
6 the Court on March 10, 2011;

7 WHEREAS, the Stipulation to ADR Process or Notice of Need for ADR Phone
8 Conference is due to be filed with the Court on March 10, 2011;

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

11 WHEREAS, the Initial Case Management Conference is scheduled for March 31, 2011;

12 WHEREAS, the parties do not object to the time modifications set forth below;

13 WHEREAS, counsel for both parties do not believe that the time modifications will cause
14 any problems or difficulties with respect to the case;

15 WHEREAS, there has been two previous time modifications in this case, as set forth
16 above; and

17 WHEREAS, the requested time modifications would not significantly affect the schedule
18 for this case;

19 THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

20 (1) The last day to meet and confer regarding initial disclosures, early settlement, ADR
21 process selection, and discovery plan be continued until April 28, 2011;

22 (3) The due date to file the ADR Certification signed by Parties and Counsel be continued
23 until April 28, 2011;

24 (4) The due date to file the Stipulation to ADR Process or Notice of Need for ADR Phone
25 Conference be continued until April 28, 2011;

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

(6) The Initial Case Management Conference be continued until May 19, 2011.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: March 24, 2011

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

/s/
MICHAEL D. WEIL
Attorneys for Defendants

Dated: March 24, 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 April 28, 2011;

6 (3) The due date to file the ADR Certification signed by Parties and Counsel be continued
7 until April 28, 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 April 28, 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 May 12, 2011; and

13 (6) The Initial Case Management Conference be continued until ~~May 19, 2011~~ June 2, 2011 at 10:00 a.m.

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 Dated: March 24, 2011

16 
17 RICHARD SEEBORG
18 U.S. DISTRICT COURT JUDGE