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8 Attorneys for Defendant
 LUCKY BRAND DUNGAREES, INC.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 JUVENAL ROBLES and ABEL FIGUEROA,
 13 individually and on behalf of a class of
 similarly situated individuals,
 14
 Plaintiffs,
 15
 v.
 16 LUCKY BRAND DUNGAREES, INC., a
 Delaware corporation, KIRSHENBAUM
 17 BOND SENEAL & PARTNERS LLC f/k/a
 KIRSHENBAUM BOND & PARTNERS
 18 LLC, a Delaware limited liability company,
 d/b/a Lime Public Relations + Promotion, and
 19 KIRSHENBAUM BOND & PARTNERS
 WEST LLC, a Delaware limited liability
 20 company,
 21
 Defendants.
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Case No. 10-cv-04846 MMC

**STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING THE CASE
 MANAGEMENT CONFERENCE**

Date: January 20, 2012
 Time: 10:30 a.m.
 Courtroom: 7, 19th Floor

The Honorable Maxine M. Chesney

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1 Plaintiffs Juvenal Robles and Abel Figueroa (collectively "Plaintiffs"), defendant Lucky
2 Brand Dungarees, Inc. ("Lucky"), defendants Kirshenbaum Bond Senecal & Partners LLC, f/k/a
3 Kirshenbaum Bond & Partners LLC, d/b/a Lime Public Relations + Promotion and Kirshenbaum
4 Bond & Partners West LLC (collectively "Lime"), and third-party defendant Merkle, Inc.
5 ("Merkle"), by and through their counsel, stipulate:

6 1. Plaintiff Robles filed his Class Action Complaint on October 26, 2010, alleging
7 defendant Lucky violated the Telephone Consumer Protection Act, 47 U.S.C. § 227, by sending an
8 allegedly unsolicited text message to plaintiff's cellular telephone in the summer of 2008. (Dkt. No.
9 1.)

10 2. Lucky answered the complaint, alleging, among other things, various defenses that
11 included issues involving consent, authorization, and other elements of plaintiff's statutory claim.
12 (Dkt. No. 15.)

13 3. On January 21, 2011, Judge Fogel held an initial case scheduling conference and
14 ordered the parties to participate in a settlement conference before Magistrate Judge Lloyd and to
15 return and report on the result of that conference. (Dkt. No. 18.)

16 4. Plaintiff Robles and defendant Lucky participated in a settlement conference before
17 Judge Lloyd on April 29, 2011. Lime, Merkle and Take 5 Solutions, LLC ("Take 5"), who were all
18 third parties at the time, also participated in the settlement conference. At the settlement
19 conference, plaintiff Robles, defendant Lucky, the third parties, and insurers candidly discussed
20 their various positions about the litigation and settlement. During these discussions, it was
21 determined that limited focused discovery or information was required to continue productive
22 discussions toward resolution. Upon the recommendation of Judge Lloyd, plaintiff Robles,
23 defendant Lucky, the third parties, and insurers agreed to return for a further settlement conference.
24 (*See* Dkt. 32.)

25 5. Prior to the further settlement conference, plaintiff Robles filed an Amended
26 Complaint. (Dkt. 39.) The Amended Complaint alleges a single claim for violation of the TCPA,
27 under the same general allegations stated in the original complaint, on behalf of both Juvenal
28 Robles and Abel Figueroa. The Amended Complaint also adds Lime as a named defendant.


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ORDER

Having considered the parties' stipulation and good cause appearing, the Court continues the January 20, 2012 Case Scheduling Conference to February 10, 2012 at 10:30 AM in Courtroom 7, 19th Floor. A Joint Case Management Statement shall be filed no later than February 3, 2012.

IT IS SO ORDERED.

Dated: January 10, 2012


The Honorable Maxine M. Chesney
United States District Judge