1 2 3 4 5 6 7 8 9 10	STANLEY • IOLA, LLP MATTHEW J. ZEVIN, SBN: 170736 525 B Street, Suite 760 San Diego, CA 92101 Telephone: (619) 235-5306 Facsimile: (815) 377-8419 e-mail: mzevin@stanleyiola.com Attorneys for Plaintiff, Jacquel Kimble KEESAL, YOUNG & LOGAN BEN SUTER, SBN: 107680 JAMES F. ALEXANDER, SBN: 258111 450 Pacific Avenue San Francisco, CA 94133 Telephone: (415) 398-6000 Facsimile: (415) 981-0136		
11	Attorneys for Defendants Rhodes Colleges, Inc	•,	
12	Rhodes Business Group, Inc., and Corinthian Colleges, Inc.		
13			
14	IN THE UNITED STATES DISTRICT COURT		
15	NORTHERN DIST	RICT OF C	ALIFORNIA
16	JACQUEL KIMBLE, individually and on behalf of all others similarly situated,	Case No. C	C10-05786 EMC
17		JOINT CA	ASE MANAGEMENT
18	Plaintiff,		ENCE STATEMENT AND TION SEEKING
19	v.		UANCE OF CASE
20	RHODES COLLEGE, INC., d/b/a EVEREST		EMENT CONFERENCE; ÆD] ORDER THEREON
21	COLLEGE; RHODES BUSINESS GROUP,		-
22	INC., d/b/a EVEREST COLLEGE; and CORINTHIAN COLLEGES, INC.,	DATE: TIME:	April 27, 2012 9:00 a.m.
23	Defendants	JUDGE: CTRM:	Honorable Edward M. Chen 5
24		-	
25			
26			
27			
28			
	JT STIP SEEKING CONT OF CMC AND FILI	NG OF JOI	NT CMC; Case No. C10-05786 EMC

1	Pursuant to Civil Local Rules 6-1(b) and 6-2, it is hereby stipulated by and between
2	Plaintiff Jacquel Kimble ("Plaintiff") and Defendants Rhodes Colleges, Inc., Rhodes Business
3	Group, Inc., and Corinthian Colleges, Inc. (collectively "the School"), through their respective
4	counsel, as follows:
5	WHEREAS, the Court on June 2, 2011 issued an Order Granting the School's Motion to
6	Compel Arbitration (DKT No. 43) in which the Court determined that "the issue of arbitrability in
7	this case is one for the arbitrator, and not the Court to decide" and further stayed this case pending
8	arbitration; and
9	WHEREAS, the Court Clerk on June 2, 2011 issued a Notice (DKT No. 44) advising the
10	parties that a Case Management Conference was set for October 21, 2011; and
11	WHEREAS, the Court Clerk on October 11, 2011 issued a Notice (DKT No. 48) advising
12	the parties that the Case Management Conference had been specially reset for October 25, 2011;
13	and
14	WHEREAS, on October 11, 2011, the parties submitted a joint report and stipulation (DKT
15	No. 49) in which they advised the Court that Plaintiff intended to file an action in arbitration in the
16	near future and requested that the Court continue the Case Management Conference; and
17	WHEREAS, on October 11, 2011, the Court issued an Order (DKT No. 50) resetting the
18	Case Management Conference to April 27, 2012; and
19	WHEREAS, Plaintiff still intends to file a claim in arbitration but is seeking substitute
20	counsel to represent her in arbitration; and
21	WHEREAS, Plaintiff's counsel are trying to help Plaintiff find suitable replacement
22	counsel who will represent Plaintiff in arbitration; and
23	WHEREAS, the parties have met and conferred and agreed that they have nothing further
24	to report to the Court; and
25	WHEREAS, the parties seek to promote judicial efficiency and avoid any potential for
26	unnecessary or duplicative effort on the part of the Court or the parties; and
27	WHEREAS, pursuant to Civil Local Rule 6-1(b), an order of the Court is required to give
28	effect to this stipulation;
	1

1 JT STIP SEEKING CONT OF CMC AND FILING OF JOINT CMC; Case No. C10-05786 EMC

1	NOW THEREFORE, the parties jointly request that the Court continue the Case		
2	Management Conference and deadline for filing a joint CMC statement by at least 180 days and to		
3	such date that is convenient for the Court.		
4	SO STIPULATED.		
5	DATED: April 19, 2012 STANLEY • IOLA, LLP MATTHEW J. ZEVIN		
6			
7	/s/ Matthew J. Zevin		
8	MATTHEW J. ZEVIN		
9	525 B Street, Suite 760 San Diego, CA 92101		
10	Telephone: (619) 235-5306		
11	Facsimile: (815) 377-8419		
12	Attorneys for Plaintiff, Jacquel Kimble		
13	DATED: April 19, 2012 KEESAL, YOUNG & LOGAN		
14	BEN SUTER JAMES F. ALEXANDER		
15	p-t-b-		
16	JAMES F. ALEXANDER		
17			
18	450 Pacific Avenue San Francisco, CA 94133		
19	Telephone: (415) 398-6000		
20	Facsimile: (415) 981-0136		
21	Attorneys for Defendants Rhodes Colleges, Inc., Rhodes Business Group, Inc., and Corinthian		
22	Colleges, Inc.		
23	IT IS SO ORDERED.		
24	The Court will set a new date for a Case Management Conference in due course. The CMC is reset for 12/14/12 at 9:00 a.m. A joint CMC Statement shall be filed		
25	by 12/7/12.		
26	DATED:4/23/12		
27	HONORABLE EDWARD M CHEN		
28	JT STIP SEEKING CONT OF CMC AND FILING		
	Judge Edward A		

1 2	<b>PROOF OF SERVICE</b> Jacquel Kimble v. Rhodes College, Inc., et al. CASE NO.: C10-05786 EMC			
3 4 5	I, the undersigned, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action. I am employed in the County of San Diego, State of California. My business address is: 525 B Street, Suite 760, San Diego, CA 92101.			
6 7 8	That on April 20, 2012, I served the following document(s) entitled: JOINT CASE MANAGEMENT STATEMENT AND STIPULATION SEEKING CONTINUANCE OF CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER THEREON on ALL INTERESTED PARTIES in this action:			
9 10 1	Julie E. JohnsonMarc R. StanleyLaw Office of Julie Johnson PLLCStanley Iola LLP7557 Rambler Road, Suite 9503100 Monticello Avenue, Suite 750Dallas, TX 75231Dallas, TX 75205			
12 13 14 15 16 17	<b>BY MAIL:</b> By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal Service. The correspondence, pleadings and other matters are deposited with the United States Postal Service with postage thereon fully prepaid in San Diego, California, on the same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.			
18 19 20	BY OVERNIGHT COURIER: I caused the above-referenced document(s) to be contained in an overnight envelope and to be deposited in a Federal Express/Overnite Express box located at 525 B Street, San Diego, California, for delivery to the above address(es).			
21 22	<b>BY CM/ECF Electronic Service:</b> I caused such document to be served via the Court's (NEF) electronic filing system on all registered parties.			
23	<b>BY PERSONAL SERVICE:</b> I had such envelope delivered by hand where indicated.			
24 25	I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 20, 2012, at San Diego, California.			
26 27 28	<u>/s/ Matthew J. Zevin</u> MATTHEW J. ZEVIN			
	JOINT CASE MANAGEMENT CONFERENCE STATEMENT; Case No. C10-05786 EMC			