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5 Attorneys for Plaintiff JACQUE OJADIDI,
 dba "XMMICRO" and "XMICRO,"

6
 7 UNITED STATES DISTRICT COURT
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 9 SAN FRANCISCO DIVISION

10 JACQUE OJADIDI, dba "XMMICRO" and
 11 "XMICRO,"

12 Plaintiff,

13 vs.

14 XM SATELLITE RADIO, INC., a Delaware
 15 corporation; and DOES 1 through 50, inclusive,

16 Defendants.

Civil Action No.: 3:11-CV-00168 EDL

**STIPULATED REQUEST TO CONTINUE
 CASE MANAGEMENT CONFERENCE
 AND RELATED DEADLINES
 AND [PROPOSED] ORDER**

**CMC Date: April 19, 2011
 Ctrm.: E, 15th Floor
 Time: 10:00 AM
 Before: Hon. M. J. Elizabeth D. Laporte**

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 18 Pursuant to Civil Local Rule 6-2, Defendant SIRIUS XM RADIO INC. (formerly XM
 19 Satellite Radio, Inc.)("Sirius XM") and Plaintiff JACQUE OJADIDI ("Ojadidi") (collectively,
 20 the "Parties"), by and through their respective counsel, hereby file this Stipulated Request to
 21 Continue the Case Management Conference and Related Deadlines ("Stipulated Request") by
 22 approximately one (1) month. This Stipulated Request is based on the Declaration of David P.
 23 Morales in Support of Stipulated Request to Continue Case Management Conference and
 24 Related Deadlines ("Morales Decl."), on the facts and law included in this Stipulated Request
 25 and the Court's file in this matter, and on such other evidence and law as the Court may receive.

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1 **STIPULATED REQUEST**

2 TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS
3 OF RECORD:

4 WHEREAS, on or about January 26, 2011, Sirius XM agreed to accept service of process
5 through its undersigned counsel, *see* Morales Decl. at ¶2;

6 WHEREAS, on or about January 28, 2011, Ojadidi served his First Amended Complaint
7 (“Complaint”) on Sirius XM, *see id.* at ¶3;

8 WHEREAS, in order to facilitate the Parties’ efforts to resolve this dispute informally,
9 Ojadidi granted Sirius XM an extension of time to answer or otherwise respond to the Complaint
10 until March 19, 2011, *see id.* at ¶4;

11 WHEREAS, as the Parties’ efforts continued, Ojadidi granted Sirius XM a further
12 extension of time to answer or otherwise respond to the Complaint until March 28, 2011, *see id.*
13 at ¶5;

14 WHEREAS, the Court’s January 11, 2011 Scheduling Order set the following deadlines
15 and Initial Case Management Conference date:

16 ▪ **March 29, 2011** as the parties’ last day to meet and confer re: initial disclosures,
17 early settlement, ADR process selection, and discovery plan; to file ADR
18 Certification signed by Parties and Counsel; and to file either Stipulation to ADR
Process or notice of Need for ADR Phone Conference;

19 ▪ **April 12, 2011** as the last day to file Rule 26(f) Report, complete Initial
20 Disclosures or state objection in Rule 26(f) Report and file Case Management
21 Statement per attached Standing Order re Contents of Joint Case Management
Statement (also available at <http://www.cand.uscourts.gov>); and

22 ▪ **April 19, 2011** as the Initial Case Management Conference (CMC) in Ctrm E,
23 15th Floor, SF at 10:00 AM.

24 WHEREAS, it appears the parties have reached an agreement in principle resolving this
25 dispute, the Parties need additional time to finalize their agreement, and the Parties wish to
26 minimize unnecessary expense to the Court and themselves, *see id.* at ¶6;

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28 **STIPULATED REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE
AND RELATED DEADLINES**
Case No. CV11-00168 EDL

1 NOW, THEREFORE, the Parties hereby respectfully request that the Court grant the
2 Parties approximately one (1) month to complete their efforts to resolve this dispute informally,
3 and that the Court amend its Scheduling Order deadlines and Initial Case Management
4 Conference Date as follows:

5 ▪ **May 3, 2011** as the parties' last day to meet and confer re: initial disclosures,
6 early settlement, ADR process selection, and discovery plan; to file ADR
7 Certification signed by Parties and Counsel; and to file either Stipulation to ADR
8 Process or notice of Need for ADR Phone Conference;

9 ▪ **May 17, 2011** as the last day to file Rule 26(f) Report, complete Initial
10 Disclosures or state objection in Rule 26(f) Report and file Case Management
11 Statement per attached Standing Order re Contents of Joint Case Management
12 Statement (also available at <http://www.cand.uscourts.gov>); and

13 ▪ **May 24, 2011** as the Initial Case Management Conference (CMC) in Ctrm E,
14 15th Floor, SF at 10:00 AM.

15 Or until the Court's soonest available dates thereafter.

16 IT IS SO STIPULATED.

17 Dated: March 25, 2011

KRAMER, LEVIN, NAFTALIS &
FRANKEL LLP

18 By: /S/ Erica D. Klein

19 ERICA D. KLEIN
20 Attorneys for Defendant Sirius XM Radio Inc.
21 1177 Avenue of the Americas
22 New York, NY 10036

23 Dated: March 25, 2011

THE MORALES LAW FIRM

24 By: /S/ David P. Morales

25 DAVID P. MORALES
26 Attorney for Plaintiff Jacque Ojadidi
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**STIPULATED REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE
AND RELATED DEADLINES**
Case No. CV11-00168 EDL

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: March 28, 2011

