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 17 a division of SOUTHERN WINE & SPIRITS OF  
 AMERICA, INC.

18  
 19 **UNITED STATES DISTRICT COURT**  
 20 **NORTHERN DISTRICT OF CALIFORNIA**  
 21 **SAN FRANCISCO DIVISION**

22 JASON COLEMAN,  
 23 Plaintiff,  
 24 v.  
 25 SOUTHERN WINE & SPIRITS OF  
 CALIFORNIA, INC., TEAMSTERS LOCAL  
 26 853 and BOB STRELO,  
 27 Defendants.

Case No. 3:11-CV-00501-SC  
**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING EARLY  
 NEUTRAL EVALUATION HEARING**  
 Trial Date: None Set


1 IT IS HEREBY STIPULATED AND AGREED UPON by the parties and their respective  
2 counsel of record that the deadline date to hold the Early Neutral Evaluation ("ENE") be  
3 continued from July 27, 2011 to allow the Court to hear and issue a ruling on the pending Motion  
4 to Dismiss. The hearing on the Motion to Dismiss was originally set for June 20, 2011 but was  
5 vacated by the Court and the motion submitted for a decision based on the pleadings. Until the  
6 motion is ruled on, it would be difficult for the parties to conduct a meaningful ENE as the motion  
7 is potentially dispositive as to one defendant and may impact the other defendant. Accordingly,  
8 good cause exists for continuing the ENE until after a decision is issued on the Motion to Dismiss.

9 The Court has already continued the Case Management Conference from July 8, 2011 to  
10 September 9, 2011.

11 SO STIPULATED.


12 Dated: June 30, 2011

MORGAN & ASSOCIATES

13  
14 By:   
15 Angela L. Morgan  
16 Attorneys for Plaintiff


17 Dated: 6/30/11

BEESON, TAYER & BODINE, APC

18  
19 By:   
20 Andrew H. Baker  
21 Attorneys for Defendants  
22 Teamsters Local 853 and Bob Strelo

23 Dated:

KORSHAK, KRACOFF, KONG & SUGANO LLP

24  
25 By:   
26 T.R. Sugano, Esq.  
27 Attorneys for Defendant  
28 Southern Wine & Spirits of California, Inc., a  
division of Southern Wine & Spirits of America, Inc.

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**PROPOSED ORDER**

IT IS SO ORDERED. The Court finds that good cause exists to continue the deadline date to conduct the Early Neutral Evaluation from July 27, 2011 until a decision is issued on the Motion to Dismiss. The new deadline date to conduct the ENE is 9/1, 2011.

DATED: 7/5, 2011

Senior District Judge Samuel Conti

