

1 SEYFARTH SHAW LLP
 William J. Dritsas (SBN 097523) wdritsas@seyfarth.com
 2 Catherine M. Dacre (SBN 141988) cdacre@seyfarth.com
 Robb D. McFadden (SBN 258569) rmcfadden@seyfarth.com
 3 Ari Hersher (SBN 260321) ahersher@seyfarth.com
 560 Mission Street, 31st Floor
 4 San Francisco, California 94105
 Telephone: (415) 397-2823
 5 Facsimile: (415) 397-8549

6 Attorneys for Defendant
 RED ROBIN INTERNATIONAL, INC.

8 HOFFMAN EMPLOYMENT LAWYERS, LLP
 Michael Hoffman (SBN 154481) mhoffman@employment-lawyers.com
 9 Leonard Emma (SBN 224483) lemma@sfemployment-lawyers.com
 333 Bush Street, Suite 2250
 10 San Francisco, California 94104
 Telephone: (415) 362-1111
 11 Facsimile: (415) 362-1112

12 Attorneys for Plaintiff
 KEVIN McCONNELL

13 UNITED STATES DISTRICT COURT

14 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO

16 KEVIN McCONNELL, an individual,)	Case No. C 11-3794-CRB
)	
17 Plaintiff,)	STIPULATION CONTINUING INITIAL
)	CASE MANAGEMENT CONFERENCE
18 v.)	AND [REDACTED] ORDER
)	
19 RED ROBIN INTERNATIONAL, INC., a)	
20 Colorado Corporation; JILL DIPOLINI, an)	
individual,)	Complaint Filed: August 1, 2011
)	
21 Defendant.)	
)	
)	
)	
)	

24
 25 WHEREAS, on August 1, 2011, Plaintiff Kevin McConnell (“Plaintiff”) filed a lawsuit
 26 against Defendants Red Robin International, Inc. (“Red Robin”) and Jill DiPolini [Dkt. No. 1];

27 WHEREAS, on or about December 29, 2011, Red Robin was served with the Complaint;

28 WHEREAS, on January 12, 2012, Red Robin filed a Declination to Proceed Before a

1 Magistrate Judge [Dkt. No. 6];

2 WHEREAS, on January 18, 2012, the case was reassigned to the Hon. Charles R. Breyer
3 and all pre-trial dates were vacated [Dkt. No. 8];

4 WHEREAS, on January 19, 2012, the Court's Clerk confirmed to Plaintiff's counsel that
5 the Initial Case Management Conference originally scheduled for January 26, 2012 before the
6 Magistrate Judge had been vacated;

7 WHEREAS, on January 19, 2012, Red Robin filed an Answer to the Complaint [Dkt. No.
8 9];

9 WHEREAS, Fed. R. Civ. P. 26(f)(1) requires the Parties to confer at least 21 days before
10 the Initial Case Management Conference in order to discuss discovery and scheduling issues;

11 WHEREAS, Fed. R. Civ. P. 26(f)(2) requires the Parties to file with the Court a written
12 report outlining the Parties' discovery plan within 14 days after the Rule 26(f) conference;

13 WHEREAS, Fed. R. Civ. P. 26(a)(C) requires the Parties to exchange Initial Disclosures
14 within 14 days after the Rule 26(f) conference unless a different time is set by stipulation or
15 court order;

16 WHEREAS, on January 26, 2012, an initial Case Management Conference was
17 scheduled for eight days later, on February 3, 2012, at 8:30 AM [Dkt. No. 10];

18 WHEREAS, the Parties cannot satisfy the requirements set forth in Fed. R. Civ. P.
19 26(a)(C), (f)(1) and (f)(2) prior to the Initial Case Management Conference set for February 3,
20 2012;

21 WHEREAS, the Parties met and conferred on January 26, 2011, and agreed that
22 additional time is needed to satisfy the requirements set forth in Fed. R. Civ. P. 26(a)(C), (f)(1),
23 and (f)(2), prior to the Initial Case Management;

24 WHEREAS, pursuant to Local Rule 16-2(e) and 7-12 the Parties have stipulated to
25 continue the Initial Case Management Conference scheduled for February 3, 2012 and
26 reschedule it for a date that is convenient to this Court on or after March 16, 2012.

27 THEREFORE, the Parties STIPULATE and agree as follows:
28

1 (1) That the Initial Case Management Conference scheduled for February 3, 2012 at
2 8:30 a.m. be rescheduled to a date and time convenient to this Court on or after March 16, 2012;
3 and,

4 (2) That all Rule 26 Meet and Confer deadlines be continued and re-calendared based
5 on the state of the rescheduled Initial Case Management Conference.

6 **IT IS SO STIPULATED.**

7
8 DATED: January 26, 2012

SEYFARTH SHAW LLP

9
10 By \s\ Robb D. McFadden
11 William J. Dritsas
12 Catherine M. Dacre
13 Robb D. McFadden
Ari Hersher
Attorneys for Defendant
RED ROBIN INTERNATIONAL, INC.

14 DATED: January 26, 2012

HOFFMAN EMPLOYMENT LAWYERS, LLC

15
16 By \s\Leonard Emma
17 Michael Hoffman
Leonard Emma
Attorneys for Plaintiff
KEVIN McCONNELL

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ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, and finding good cause therein, IT IS HEREBY ORDERED that the:

Case Management Conference scheduled for February 3, 2012 at 8:30 a.m. be rescheduled to 8:30 a.m on March 23, 2012.

Plaintiff's counsel is to set up the conference call with all the parties on the line and call Plaintiff(s) is directed to serve a copy of this Order at once on all parties to this action in accordance with the provisions of Fed. R. Civ. P. 5 not enrolled in the e-filing program. Following service, the party causing the service shall file a certificate of service with the Clerk of Court.

IT IS SO ORDERED.

DATED: January 27, 2012

