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23 PAUL BENSI, et al.

24 UNITED STATES DISTRICT COURT  
25 NORTHERN DISTRICT OF CALIFORNIA  
26 SAN FRANCISCO DIVISION

27 PAUL BENSI, et al.,

28 Doc Plaintiffs,

v.

BLOOMINGDALE'S, INC., a California  
Corporation,

Defendant.

Case No. 3:11-cv-03968-JSC

ASSIGNED TO  
HON. JACQUELINE SCOTT CORLEY  
COURTROOM E

**SECOND STIPULATED REQUEST TO  
EXTEND TIME FOR DEFENDANT TO  
FILE RESPONSIVE PLEADING TO  
PLAINTIFFS' COMPLAINT AND TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE AND RELATED  
DEADLINES; [PROPOSED] ORDER**

Complaint Filed: August 12, 2011  
Trial Date: None Set

1 Pursuant to Civil Local Rules 7-12 and 16-2, Plaintiffs and Defendant hereby respectfully  
 2 request that Defendant's time to file a responsive pleading to Plaintiffs' Complaint be extended  
 3 for a period of thirty (30) days, from January 9, 2012 to and including February 8, 2012, and that  
 4 the Initial Case Management Conference scheduled for February 2, 2012 at 1:30 p.m. and related  
 5 deadlines be continued for thirty (30) days to allow the Parties additional time to continue their  
 6 discussions regarding a possible resolution of this action without the necessity of further litigation  
 7 time and expense, as follows:

Current Deadline	New Deadline	Description
01.09.12	<b>02.08.12</b>	Last day to: <ul style="list-style-type: none"> <li>• meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan</li> <li>• file ADR certification signed by Parties and Counsel</li> <li>• file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference</li> </ul>
01.26.12	<b>02.27.12</b>	Last day to: <ul style="list-style-type: none"> <li>• file Rule 26(f) Report</li> <li>• complete initial disclosures or state objection in Rule 26(f) Report</li> <li>• file Case Management Statement per Standing Order re Contents of Joint Case Management Statement</li> </ul>
02.02.12 1:30 p.m. Ctrm E	<b>03.05.12 1:30 p.m. Ctrm E</b>  <b>(or as soon thereafter as the Court is available)</b>	Initial Case Management Conference

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1 Plaintiffs and Defendant have been engaged in informal settlement discussions and are  
2 requesting an additional continuance of the time for Defendant to file a responsive pleading to  
3 Plaintiffs' Complaint and for the Case Management Conference and related deadlines to allow the  
4 Parties additional time for completion of the audit process sought in the Complaint. The Parties  
5 have requested one prior continuance of the Case Management Conference and related deadlines.

6 The Parties expect that the requested extension of the date for the Initial Case  
7 Management Conference will have no adverse effect on the schedule for the case. No trial date or  
8 other deadlines have yet been set. The requested extensions may facilitate the resolution of the  
9 action. The continuance of the Case Management Conference would promote judicial efficiency  
10 as Defendant has provided the requested documents for Plaintiffs' auditors to complete the audit  
11 sought in the Complaint, but additional time is needed for the audit process to be completed.

12 Dated: January 10, 2012


JACKSON LEWIS LLP

13  
14 By:   
15 David S. Bradshaw  
Cary G. Palmer

16 Attorneys for Defendant  
BLOOMINGDALE'S, INC.

17 Dated: January 10, 2012

WEINBERG, ROGER & ROSENFELD

18  
19 By:   
20 William A. Sokol  
Linda Baldwin Jones  
Ezekiel D. Carder

21 Attorneys for Plaintiffs  
22 PAUL BENSI, BART FLORENCE,  
23 JERRY KALMAR, and LYLE SETTER,  
24 in their capacities as Trustees of the  
25 STATIONARY ENGINEERS LOCAL 39  
PENSION TRUST FUND and  
STATIONARY ENGINEERS LOCAL 39  
ANNUITY TRUST FUND

26 **[PROPOSED] ORDER**

27 Based upon the foregoing Second Stipulated Request to Extend Time for Defendant to  
28 File a Responsive Pleading to Plaintiffs' Complaint and to Continue Case Management

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Conference and Related Deadlines, the Court orders an extension of time for Defendant to file a responsive pleading to Plaintiffs' Complaint and the continuance of the Initial Case Management Conference and related deadlines for sixty (60) days, as set forth above in the Stipulated Request, or as soon thereafter as a court date is available. The case management conference is reset to 3/8/2012 at 1:30 p.m. in Courtroom F.

Dated: \_\_\_\_\_

HONORABLE JACQUELINE S. CORLEY  
UNITED STATES MAGISTRATE JUDGE

Dated: 1/11/2012

