

1 PATRICK W. SHEA (NY SB# 4587176), *Pro Hac Vice*  
 2 patrickshea@paulhastings.com  
 3 **PAUL HASTINGS LLP**  
 4 75 East 55th Street  
 5 First Floor  
 6 New York, NY 10022  
 7 Telephone: (212) 318-6405  
 8 Facsimile: (212) 752-2542

9 Attorneys for Defendants  
 10 AT&T PENSION BENEFIT PLAN - NONBARGAINED PROGRAM and AT&T, INC.

11 ROGER P. ROZEK (SB# 214353)  
 12 roger@marinlegal.com  
 13 **MARIN LEGAL, PC**  
 14 363 Marin Avenue  
 15 Mill Valley, CA 94941  
 16 Telephone: (415) 331-0311  
 17 Facsimile: (415) 388-2555

18 Attorney for Plaintiff  
 19 WILLIAM GRAHAM

20 *Additional Counsel Listed on the Next Page*

21 UNITED STATES DISTRICT COURT  
 22 NORTHERN DISTRICT OF CALIFORNIA  
 23 SAN FRANCISCO DIVISION

24 WILLIAM GRAHAM,  
 25  
 26 Plaintiff,  
 27  
 28 vs.  
 29 AT&T PENSION BENEFIT PLAN -  
 30 NONBARGAINED PROGRAM; AT&T,  
 31 INC.; and DOES 1-10,  
 32  
 33 Defendants.

CASE NO. 11-CV-4085 TEH

**THIRD STIPULATION TO EXTEND THE  
 DEADLINE FOR PARTIES TO HOLD AN  
 EARLY NEUTRAL EVALUATION;  
 [PROPOSED] ORDER**

**[ADR L.R. 5-5]**

Complaint Filed: August 15, 2011

1 STEPHEN H. HARRIS (SB# 184608)  
stephenharris@paulhastings.com  
2 M'ALYSSA C. MECENAS (SB# 272075)  
malyssamecenas@paulhastings.com  
3 **PAUL HASTINGS LLP**  
515 South Flower Street  
4 Twenty-Fifth Floor  
Los Angeles, CA 90071-2228  
5 Telephone: (213) 683-6000  
Facsimile: (213) 627-0705  
6

Attorneys for Defendants

7 AT&T PENSION BENEFIT PLAN - NONBARGAINED PROGRAM and AT&T, INC.  
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1 Pursuant to ADR Local Rule 5-5 and Civil Local Rule 7, the Parties stipulate and jointly  
2 move for an order from the Court to move the Early Neutral Evaluation (“ENE”) deadline  
3 previously set for April 16, 2012 to May 28, 2012, and for relief from the deadlines associated  
4 with that conference.

5 WHEREAS:

- 6 1. On or about November 14, 2011, the Parties selected ENE for the resolution of this case.
- 7 2. By order dated November 15, 2011, the Court previously scheduled ENE and set the deadline  
8 for the ADR session as 90 days from the date of the order, or February 13, 2012.
- 9 3. At the Parties’ preliminary ENE telephone conference held on January 23, 2012, the Parties  
10 and the ENE Evaluator discussed and agreed to extend the ENE to March 1, 2012 to  
11 accommodate the Parties’ schedules.
- 12 4. By order dated January 30, 2012, the Court rescheduled the ENE deadline to March 1, 2012.
- 13 5. The Parties reached an agreement in principle to settle, and wish to have more time to  
14 continue to finalize and document their agreement, prior to the ENE. Counsel for the  
15 Defendant spoke with the ENE Evaluator on February 23, 2012 about this rescheduling  
16 proposal, and the ENE Evaluator confirmed his consent to an extension.
- 17 6. By order dated March 7, 2012, the Court rescheduled the ENE deadline to April 16, 2012.
- 18 7. Due to scheduling conflicts and complexities that have arisen in documenting the settlement  
19 since the date of the court’s last ENE rescheduling order, the Parties request that the court  
20 further extend the deadline to hold the ENE so the Parties may confer and finalize and  
21 document their agreement prior to the ENE.
- 22 8. Rescheduling the ENE will further the interests of judicial efficiency and conserve resources,  
23 as the settlement process may obviate the need for the ENE.

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the deadline for the Parties to hold an Early Neutral Evaluation (“ENE”) session is hereby rescheduled from April 16, 2012 to May 28, 2012. All deadlines associated with that conference are hereby reset.

DATED: 04/10, 2012

By:   
\_\_\_\_\_  
HON. THELTON E. HENDERSON  
United States District Court