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7 Attorneys for Defendant
 24 HOUR FITNESS USA, INC.
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9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 ALBERT ALATORRE, an individual, and on
 Behalf of all Others Similarly Situated,
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 Plaintiffs,
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 vs.
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 24 HOUR FITNESS USA, INC.,
 16
 Defendant.
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CASE NO. 11-CV-04318-JCS
**STIPULATION TO CONTINUE
 INITIAL CASE MANAGEMENT
 CONFERENCE AND ASSOCIATED
 DEADLINES; [PROPOSED] ORDER**

18 **STIPULATION**
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20 WHEREAS Plaintiff Albert Alatorre commenced this action in this Court on
 21 August 30, 2011;

22 WHEREAS the parties have signed a Putative Class Action Settlement Agreement (the
 23 “Settlement”) in an effort to resolve the litigation on a consensual basis;

24 WHEREAS on September 6, 2011, Plaintiff filed its Notice of Motion and Motion for
 25 Preliminary Approval of Class Action Settlement Agreement (the “Motion”), and such Motion is
 26 pending before the Court;

27 WHEREAS the Settlement, if approved by the Court, will resolve this litigation and obviate
 28 the need for a case management conference;

1 WHEREAS, the parties previously stipulated, and this Court ordered on October 31, 2011,
2 that defendant is not required to file an answer or other pleading in response to the complaint
3 pending the Court's ruling on preliminary and final approval of the Settlement;

4 WHEREAS, the Initial Case Management Conference is currently scheduled for December
5 14, 2011;

6 WHEREAS, the parties have agreed that continuing the Initial Case Management Conference
7 would best serve judicial efficiency and is the interests of the parties;

8 WHEREAS, pursuant to Local Rules 6-1 and 6-2, the parties may stipulate in writing
9 requesting an order to continue the date of the case management conference.

10 NOW THEREFORE, IT IS HEREBY STIPULATED, pursuant to Local Rules 6-1 and 6-2,
11 subject to the approval of the Court, by and between the parties to this case through their respective
12 attorneys of record, that:

13 The case management conference presently scheduled for December 14, 2011, is continued
14 to January 27, 2012 at 1:30 p.m.

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16 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

17
18 DATED: November 22, 2011

Respectfully submitted,

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20 **KIRKLAND & ELLIS LLP**

21 By: /s/ Adam W. Holbrook

Elizabeth L. Deeley
Nickolas A. Kacprowski
Adam W. Holbrook

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24 555 California Street
San Francisco, CA 94104
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26 Attorneys for Defendant
27 24 HOUR FITNESS USA, INC.
28

1 DATED: November 22, 2011

**WASSERMAN, COMDEN, CASSELMAN
& ESENSTEN, L.L.P.**

2
3 By: /s/ Melissa M. Harnett
Melissa M. Harnett
Robert L. Esensten
4 Gregory B. Scarlett

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& ESENSTEN, L.L.P.
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9 Attorneys for Plaintiffs
10 ALBERT ALATORRE and on behalf of others
similarly situated

11 DATED: November 22, 2011

KELLER GROVER, LLP

12 By: /s/ Jeffrey F. Keller
13 Jeffrey F. Keller*
Kathleen R. Scanlan

14 KELLER GROVER, LLP
15 1965 Market Street, 3rd Floor
San Francisco, CA 94103
16 Telephone: (415) 543-1305
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17 Attorneys for Plaintiffs
18 ALBERT ALATORRE and on behalf of others
similarly situated

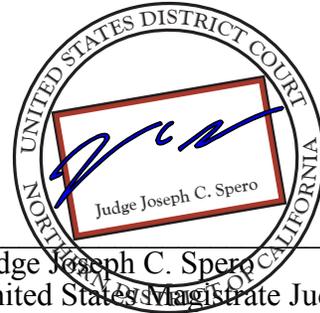
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27 _____
* I, Adam W. Holbrook, am the ECF user whose ID and password are being used to file this Stipulation to Continue
28 Initial Case Management Conference and Associated Deadlines; [Proposed] Order. In compliance with General Order
45, X.B., I hereby attest that the following attorneys have concurred in this filing: Melissa M. Harnett and Jeffrey F.
Keller, Counsel for Plaintiff Albert Alatorre and on behalf of others similarly situated.

PROPOSED ORDER

Pursuant to the parties' stipulation, the Initial Case Management Conference presently scheduled for December 14, 2011, is continued to January 27, 2012 at 1:30 p.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 11/23/11 _____



Judge Joseph C. Spero
United States Magistrate Judge

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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certify that all counsel of record who have consented to electronic
3 service are being served with a copy of the attached STIPULATION TO CONTINUE INITIAL
4 CASE MANAGEMENT CONFERENCE AND ASSOCIATED DEADLINES; [PROPOSED]
5 ORDER via the CM/ECF system on November 22, 2011.

6
7 DATED: November 22, 2011

By: /s/ Adam W. Holbrook
Adam W. Holbrook

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