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5 Attorneys for Plaintiff, Carmen Cruz

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10 CARMEN CRUZ, an individual,)
 11 PLAINTIFF,)
 12 v.)
 13 AT&T MOBILITY SERVICES LLC, a)
 Delaware Limited Liability Company; and)
 14 DOES 1-100, jointly and severally,)
 15 DEFENDANTS.)
 16 _____)

CASE NO: CV11-04508-TEH
STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE
Date: January 9, 2012
Time: 1:30 p.m.
Dept.: Courtroom 12
Judge: Honorable Thelton E. Henderson

17 Pursuant to the Court’s November 10, 2011 Order, a Case Management Conference in the
 18 above referenced matter was scheduled for January 9, 2012. The Order further required the parties
 19 to file a Joint Case Management Conference Statement no later than seven (7) days prior to the Case
 20 Management Conference. For the reasons set forth below, Plaintiff respectfully requests that the
 21 Court continue the Case Management Conference scheduled for January 9, 2012 to March 16, 2012,
 22 at 1:30 p.m.

23 On October 6, 2011, counsel for AT&T Mobility Services LLC (“AT&T Mobility”) advised
 24 Plaintiff’s counsel that none of the four Defendants named in the Complaint were proper parties to
 25 this case, and further advised that, based on the allegations of the Complaint, the only entity which
 26 should have been named as a Defendant was his client, AT&T Mobility. In reliance on those
 27 representations, Plaintiff filed a First Amended Complaint on October 24, 2011, which removed
 28 all prior Defendants, and named the new, current, Defendant AT&T Mobility. Said Defendant was

1 subsequently served on November 4, 2011 via Waiver of Service of Summons. On November 15,
2 2011 Plaintiff received the signed Waiver of Service from Defendant and filed the Proof of Service
3 with the Court. Defendant's answer to the complaint is due on January 3, 2012, and Plaintiff does
4 not anticipate the Defendant will appear until that date.

5 Given that the new Defendant has not yet appeared, is not obligated to appear, and will not
6 appear prior to January 3, 2012, Plaintiff does not believe there to be sufficient time to Meet and
7 Confer, and prepare and submit the Joint Case Management Conference Statement to the Court
8 prior to the date of the conference. Accordingly, Plaintiff believes that continuing the Case
9 Management Conference until March 16, 2012, would provide both parties ample and reasonable
10 time to Meet and Confer and prepare the Joint Case Management Conference Statement.

11 NOW, THEREFORE, subject to the Court's approval, Plaintiff, by and through her counsel
12 of record, respectfully asks the following:

- 13 1. That the Case Management Conference be continued from January 9, 2012, at 1:30
14 p.m., to March 16, 2012, at 1:30 p.m.; and
- 15 2. That the corresponding deadline to file the Joint Case Management Conference
16 Statement be continued to March 9, 2012.

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19 **GREEN BRYANT & FRENCH, LLP**

20 Dated: December 2, 2011

21 /s/ Joel R. Bryant
22 Joel R. Bryant, Esq.
23 Jbryant@gbflawyers.com
24 Attorney for Plaintiff
25 CARMEN CRUZ

1 **ORDER**

2 **IT IS ORDERED THAT:**

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4 1. The Case Management Conference is continued from January 9, 2012, at 1:30 p.m.,
5 to March 19, 2012, at 1:30 p.m.; and

6 2. The deadline to file the Joint Case Management Conference Statement is continued
7 from January 2, 2012, to March 12, 2012.

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10 Dated: 12/02/2011

