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11 Attorneys for Defendants
 12 FRITO-LAY NORTH AMERICA, INC. and
 PEPSICO, INC.

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

18 JESSE HOUGHTAILING,
 19 Plaintiff,
 20 v.
 21 FRITO-LAY NORTH AMERICA, INC., and
 PEPSICO, INC., AND DOES 1 TO 100,
 22 inclusive,
 23
 24 Defendants.
 25

CASE NO. 3:11-cv-05062-TEH
**STIPULATION AND REQUEST TO
 CONTINUE JOINT CASE
 MANAGEMENT CONFERENCE;
~~PROPOSED~~ ORDER GRANTING
 CONTINUANCE**

Action Filed: August 24, 2011
 Removal Filed: October 14, 2011
 Trial Date: None Set

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TO THIS HONORABLE COURT:

Plaintiff Jesse Houghtailing ("Plaintiff"), by and through his counsel, and Defendants Frito-Lay North America, Inc. and Pepsico, Inc. ("Defendants"), by and through their counsel respectfully request a continuance of the Joint Case Management Conference on the following grounds:

1. Whereas the joint case management conference in this case is currently scheduled for Monday, January 23, 2012 at 1:30 p.m. before the Court;

2. Whereas Plaintiff's counsel is currently ill and does not anticipate being well and able to attend the Monday, January 23, 2012 case management conference;

3. Whereas Plaintiff and his counsel have another case before this Court, Jesse Houghtailing v. Crown Equipment Corp., case number 3:11-cv-05040-THE, and the case management conference for that matter is currently scheduled for January 30, 2012 at 1:30 p.m.; and

4. Whereas the parties stipulate to continue the currently scheduled case management conference from January 23, 2012 to January 30, 2012.

IT IS SO STIPULATED.

Dated: January 18, 2012

DuCHARME & COHEN

By /s/ James A. Du Charme (SBN 61002)
JAMES A. DuCHARME

Attorneys for Plaintiff
JESSE HOUGHTAILING

Concurrence obtained per General Order 45

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~~[PROPOSED]~~ ORDER

Having considered the foregoing stipulation of the parties, the Court orders the case management conference in the instant matter, Houghtailing v. Frito-Lay North America, Inc., et al., case number 3:11-cv-05062-~~THE~~^{TEH}, continued to January 30, 2012, at 1:30 p.m. in Courtroom 12.

IT IS SO ORDERED.

Dated: January 18, 2012



HON. THELTON E. HENDERSON