Case3:11-cv-05062-TEH Document18 Filed01/18/12 Page1 of 4 1 **DuCHARME & COHEN** JAMES A. DuCHARME, ESQ., SBN 61002 2 E-MAIL: jducharme@pacbell.net 450 Taraval Street, P.M.B. 317 San Francisco, CA 94116-2530 3 Telephone: 415.495.4171 Facsimile: 888.668.4170 4 5 Attorneys for Plaintiff JESSE HOUGHTAILING 6 VILLARREAL HUTNER & TODD PC 7 TRACY S. TODD, ESQ., SBN 172884 E-Mail: ttodd@vhattorneys.com JULIE WONG, ESQ., SBN 247342 8 E-Mail: jwong@vhtattorneys.com 9 575 Market Street, Suite 300 San Francisco, California 94105 Telephone: 415.543.4200 10 Facsimile: 415.512.7674 11 Attorneys for Defendants FRITO-LAY NORTH AMERICA, INC. and 12 PEPSICO, INC. 13 14 UNITED STATES DISTRICT COURT 15 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION 16 17 18 JESSE HOUGHTAILING, CASE NO. 3:11-cv-05062-TEH 19 Plaintiff, STIPULATION AND REQUEST TO **CONTINUE JOINT CASE** 20 v. **MANAGEMENT CONFERENCE;** [PROPOSED] ORDER GRANTING CONTINUANCE 21 FRITO-LAY NORTH AMERICA, INC., and PEPSICO, INC., AND DOES 1 TO 100, inclusive, 22 23 Action Filed: August 24, 2011 Removal Filed: October 14, 2011 24 Trial Date: None Set Defendants. 25 26 27 28 STIPULATION AND REQUEST TO CONTINUE CASE NO. 3:11-cv-05062-TEH JOINT CASE MANAGEMENT CONFERENCE

1	TO THIS HONORABLE COURT:
2	Plaintiff Jesse Houghtailing ("Plaintiff"), by and through his counsel, and
3	Defendants Frito-Lay North America, Inc. and Pepsico, Inc. ("Defendants"), by and through their
4	counsel respectfully request a continuance of the Joint Case Management Conference on the
5	following grounds:
6	1. Whereas the joint case management conference in this case is currently scheduled
7	for Monday, January 23, 2012 at 1:30 p.m. before the Court;
8	2. Whereas Plaintiff's counsel is currently ill and does not anticipate being well and
9	able to attend the Monday, January 23, 2012 case management conference;
10	3. Whereas Plaintiff and his counsel have another case before this Court, <u>Jesse</u>
11	Houghtailing v. Crown Equipment Corp., case number 3:11-cv-05040-THE, and the case
12	management conference for that matter is currently scheduled for January 30, 2012 at 1:30 p.m.;
13	and
14	4. Whereas the parties stipulate to continue the currently scheduled case management
15	conference from January 23, 2012 to January 30, 2012.
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17	IT IS SO STIPULATED.
18	Dated: January 18, 2012 DuCHARME & COHEN
19	
20	By <u>/s/ James A. Du Charme (SBN 61002)</u> JAMES A. DuCHARME
21	Attorneys for Plaintiff
22	JESSE HÖUGHTAILING
23	Concurrence obtained per General Order 45
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	CASE NO. 3:11-cv-05062-TEH STIPULATION AND REQUEST TO CONTINUE JOINT CASE MANAGEMENT CONFERENCE

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1	Dated: January 18, 2012 VILLARREAL HUTNER & TODD PC
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3	By <u>/s/ Julie Wong</u> TRACY S. TODD
4	JULIE WONG
5	Attorneys for Defendants
6	FRITO-LAY NORTH AMERICA, INC.
	and PEPSICO, INC.
7	
8	ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:
9	I attest that concurrence in the filing of this document by the signatory James A.
10	Du Charme, has been obtained, and that a record of the concurrence shall be maintained by
11	Villarreal Hutner & Todd PC.
12	I declare under penalty of perjury pursuant to the laws of the United States of
13	America that the foregoing is true and correct.
14	Executed at San Francisco, California this 18 th day of January, 2012.
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10	/s/ Julie Wong
	JULIE WONG
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1 2 3 4 5 6 7 8 9	[PROPOSED] ORDER Having considered the foregoing stipulation of the parties, the Court orders the case management conference in the instant matter, <u>Houghtailing v. Frito-Lay North America, Inc., <i>et</i> TEH <i>al.</i>, case number 3:11-cv-05062-THE, continued to January 30, 2012, at 1:30 p.m. in Courtroom 12. IT IS SO ORDERED. Dated: <u>January 18</u>, 2012</u>
10 11 12	HON. THELTON E. HENDERSON
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28	-3- CASE NO. 3:11-cv-05062-TEH STIPULATION AND REQUEST TO CONTINUE JOINT CASE MANAGEMENT CONFERENCE