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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT
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12 FRANKE MARTINEZ, 13 Plaintiff, 14 vs. 15 GENERAL DYNAMICS C4 SYSTEM INC., 16 a corporate entity; GENERAL DYNAMICS ITRONIX CORPORATION; a corporate 17 entity, Marc Johnston, an individual; Ken Siegler, an individual; and DOES 1 through 18 100, inclusive, 19 Defendants. 20) No. C12-0326 MMC)) STIPULATION AND [PROPOSED] ORDER) CONTINUING CASE MANAGEMENT) CONFERENCE AND CASE) MANAGEMENT STATEMENT DEADLINE))) Hearing Date: May 4, 2012) Time: 10:30 a.m.) Courtroom: 7, 19 th Fl.) Judge: Honorable Maxine M. Chesney)))
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21 Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rules 6-1(a)(b) of the
 22 Civil Local Rules of the United States District Court, Northern District of California, Plaintiff
 23 FRANKE MARTINEZ, (“Plaintiff”), on the one hand, and Defendants GENERAL
 24 DYNAMICS C4 SYSTEM INC and GENERAL DYNAMICS ITRONIX CORPORATION
 25 (“Defendants”), on the other, agree as set forth below.
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27 This Stipulation and Proposed Order are being submitted pursuant to Civil Local Rule 6-1(b)
 28 for the purpose of continuing the Case Management Conference (“CMC”) in this case, which is

STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE AND CASE
 MANAGEMENT STATEMENT DEADLINE

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1 currently scheduled for May 4, 2012, at 10:30 a.m., to July 13, 2012, at 10:30 a.m., or an
2 alternative date convenient to the Court, as well as continuing the CMC Statement deadline that
3 is tied to the date of the CMC. As set forth in the Recitals below, the parties believe that good
4 cause exist for the continuation of such CMC in light of the present posture of this case,
5 including the fact that the parties have agreed to participate in mediation.
6

7 **RECITALS**

8 WHEREAS, on January 20, 2012, Defendants filed a Notice of Removal to District Court
9 and Answer to Plaintiff's Complaint;

10 WHEREAS, on February 23, 2012, the Court ordered (the "CMC Order") that a Case
11 Management Conference be held on Friday, May, 4, 2012, at 10:30 a.m.;

12 WHEREAS, the CMC Order requires that the parties file a joint Case Management
13 Statement no later than April 27, 2012;

14 WHEREAS, on April 12, 2012, Defendants filed a Stipulation And Proposed Order
15 selecting Private ADR;

16 WHEREAS, on April 13, 2012, the Court issued an Order selecting ADR Process. The
17 parties to complete mediation within 90 days from the date the Order was signed;

18 WHEREAS, the parties have agreed exchanged 4 available dates in the beginning of June
19 for mediation and proposed mediators;

20 WHEREAS, Rule 6-1 of the Civil Local Rules of the United States District Court, Northern
21 District of California, permits the parties to request a modification of fixed deadlines by
22 stipulation in writing; and

23 WHEREAS, pursuant to Civil Local Rule 6-1(b), a Court Order is required to give effect to
24 this Stipulation with regard to the continuance of the CMC and the deadline to file a joint CMC
25 Statement.
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1 STIPULATION

2 NOW THEREFORE, Plaintiff and Defendants stipulate as follows:

3 1. Subject to the Court’s calendar, the Case Management Conference in this
4 matter shall be continued to Friday, July 13, 2012, or an alternative date convenient to the
5 Court; and

6 2. The last day to file a joint Case Management Conference Statement shall be
7 (7) days prior to the re-set Case Management Conference;
8

9 Dated: April 24, 2012 MILLER, MORTON, CAILLAT & NEVIS, LLP

10 By: /s/ Joseph A. Scanlan, Jr.
11 Joseph A. Scanlan, Jr.
12

13 Dated: April 25, 2012 OGLETREE DEAKINS NASH SMOAK & STEWART

14 By: /s/ Mark G. Kisicki
15 MARK G. KISICKI
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PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

1. The Case Management Conference in this matter shall be continued to Friday, July 13, 2012, at 10:30 a.m., in Courtroom 7, 19th Floor, 450 Golden Gate Ave., San Francisco, CA 94104;

2. The last day to file a joint Case Management Conference Statement shall be seven (7) days prior to the re-set Case Management Conference; and

3. Plaintiff ~~is directly to serve a copy of this order at once on all parties to this action~~ shall serve a copy of this order on any party subsequently joined, ~~in accordance with the provisions of Rule 5 of the Federal Rules of Civil Procedure and Civil Local Rule 5. Following service, the party causing the service~~ ^{plaintiff} shall file a certificate of ~~Court~~ service with the Clerk of the Court.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 25, 2012

Hon. Maxine M. Chesney
Judge of the United States District Court
Northern District of California

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