

JEFFER MANGELS BUTLER & MITCHELL LLP  
LOUISE ANN FERNANDEZ (Bar No. 86263)  
MICHAEL J. HASSEN (Bar No. 124823 )  
AN NGUYEN RUDA (Bar No. 215453)  
1900 Avenue of the Stars, Seventh Floor  
Los Angeles, California 90067-4308  
Telephone: (310) 203-8080  
Facsimile: (310) 203-0567

Attorneys for Defendants GHILOTTI BROS, INC. and  
GHILOTTI BROTHERS CONSTRUCTION, INC.

ROSEN BIEN GALVAN & GRUNFELD LLP  
GAY CROSTHWAIT GRUNFELD (Bar No. 121944)  
KATHRYN G. MANTOAN (Bar No. 239649)  
JENNY S. YELIN (Bar No. 273601)  
315 Montgomery Street, Tenth Floor  
San Francisco, CA 94104-1823  
Telephone: (415) 433-6830  
Facsimile: (415) 433-7104

ELISA J. STEWART – 219557  
WENDY E. MUSELL – 203507  
STEWART & MUSELL, LLP  
351 California Street, Suite 700  
San Francisco, California 94104  
Telephone: (415) 593-0083  
Facsimile: (415) 520-0920

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE RAMIREZ, LUIS GOMEZ, and  
MARCK MENA ORTEGA on behalf of  
themselves and all other persons  
similarly situated,

Plaintiffs,

v.

GHILOTTI BROS, INC., a corporation;  
GHILOTTI BROTHERS  
CONSTRUCTION, INC., a corporation,  
and DOES 1 through 50, inclusive,

Defendants.

CASE NO. 3:12-cv-04590-CRB

**STIPULATION AND ~~PROPOSED~~  
ORDER RESCHEDULING CASE  
MANAGEMENT CONFERENCE  
AND PLAINTIFF'S MOTION FOR  
LEAVE TO FILE SECOND  
AMENDED COMPLAINT**

STIPULATION AND [PROPOSED]  
ORDER RESCHEDULING CASE  
MANAGEMENT CONFERENCE AND  
MOTION FOR LEAVE TO FILE  
SECOND AMENDED COMPLAINT

1 WHEREAS, the parties have agreed to conduct a Mediation at the Judicial  
2 Arbitration and Mediation Services (“JAMS”) on January 11, 2013;

3 WHEREAS, Plaintiffs filed their Motion for Leave to File Second Amended  
4 Complaint (Dkt. No. 18) on December 7, 2012;

5 WHEREAS, the parties stipulated that the time for the hearing on the Motion  
6 for Leave to File Second Amended Complaint be shortened so that it may be heard on  
7 January 4, 2013 in conjunction with the Case Management Conference as then  
8 scheduled, and to accommodate the Mediation (*see* Dkt. No. 18-3);

9 WHEREAS, the stipulation to shorten time on the Motion for Leave to File the  
10 Second Amended Complaint was not signed by the Court, and the Motion for Leave  
11 to File the Second Amended Complaint is set for January 11, 2013;

12 WHEREAS, the Court ordered the Case Management Conference in this action  
13 originally set for January 4, 2013 be continued to January 11, 2013; WHEREAS, the  
14 Case Management Conference and Motion hearing set for January 11, 2013 pose a  
15 conflict with the Mediation scheduled by the parties;

16 WHEREAS, the parties have been unable to identify any other date agreeable  
17 to all parties and the mediator on which the Mediation could be rescheduled, payment  
18 has been tendered for the Mediation, and multiple individuals from both parties  
19 cleared scheduling conflicts so that they might attend the Mediation and make a good  
20 faith effort at resolution of this matter;

21 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and  
22 between the parties to the above-captioned action, through their respective counsel, as  
23 follows:

24 The hearing on Plaintiffs’ Motion for Leave to File Second Amended  
25 Complaint and the Case Management Conference will be continued to January 18,  
26 2013.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS SO STIPULATED.

DATED: December 20, 2012

ROSEN BIEN GALVAN & GRUNFELD LLP  
GAY CROSTHWAIT GRUNFELD  
KATHRYN G. MANTOAN  
JENNY S. YELIN

By: /s/ Gay Crosthwait Grunfeld  
GAY CROSTHWAIT GRUNFELD

Attorneys for Plaintiffs

DATED: December 20, 2012

JEFFER, MANGELS, BUTLER &  
MITCHELL LLP  
LOUISE ANN FERNANDEZ  
MICHAEL J. HASSEN  
AN NGUYEN RUDA

By: /s/ An Nguyen Ruda  
AN NGUYEN RUDA

Attorneys for Defendants GHILOTTI BROS.,  
INC. and GHILOTTI BROTHERS  
CONSTRUCTION. INC.

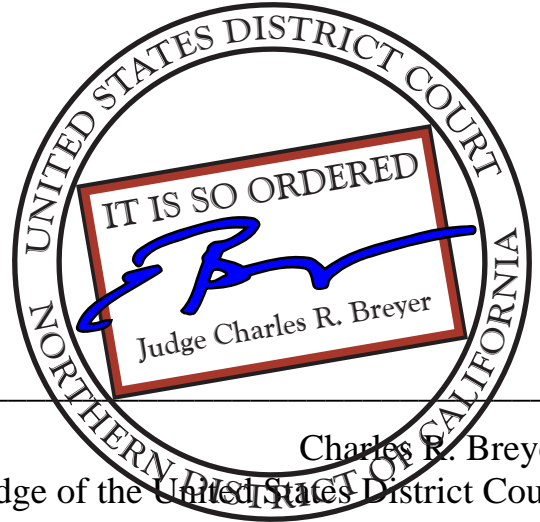
1 **~~PROPOSED~~ ORDER**

2 The Court, having reviewed the above Stipulation of the parties, and good  
3 cause appearing, hereby orders as follows:

4 The hearing on Plaintiffs' Motion for Leave to File Second Amended  
5 Complaint and the Case Management Conference is hereby continued to January 18,  
6 2013.

7 IT IS SO ORDERED.

8  
9 DATED: December 21, 2012



Charles R. Breyer  
Judge of the United States District Court