1 2 3 4 5 6	PILLSBURY WINTHROP SHAW PITTMAN LLP MICHAEL J. KASS (148822) ERICA N. TURCIOS (271655) Four Embarcadero Center, 22nd Floor Post Office Box 2824 San Francisco, CA 94126-2824 Telephone: (415) 983-1000 Facsimile No.: (415) 983-1200 Attorneys for Defendant BANK OF INDIA		
7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN FRANCISCO		
11			
12	ZARIKA SOMAYA, Case No. C 12-04926 CRB		
13	Plaintiff,) <u>STIPULATION AND ORDER MODIFYING</u> PRIFEING SCHEDING FOR MOTION FOR		
14	vs.) <u>BRIEFING SCHEDULE FOR MOTION FOR</u> SUMMARY JUDGMENT		
15	BANK OF INDIA,) Judge: Hon. Charles R. Breyer		
16	Defendant.) Trial Date: May 12, 2014		
17) Complaint Filed: July 30, 2012 Superior Court) Removal Filed: Sept. 20, 2012 District Court		
18)		
19	WHEREAS, Defendant Bank of India's Reply in Support of its Motion for		
20	Summary Judgment ("the Reply") is currently due January 24, 2014;		
21	WHEREAS the New York Metropolitan area experienced extreme weather which		
22	limited Defendant's counsel's ability to work on the Reply; and		
23	WHEREAS the Court sua sponte reset the hearing on the Motion for Summary		
24	Judgment for February 7, 2014;		
25	THE PARTIES HEREBY STIPULATE that Defendant Bank of India's Reply in		
26	Support of its Motion for Summary Judgment should be filed on or before January 28,		
27	2014.		
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2	DATED: January 24, 2014	SHARTSIS FRIESE LLP	
3		Dry /a/ Dahart C Eriasa	
4		By: <u>/s/ Robert C. Friese</u> ROBERT C. FRIESE	
5		Attorneys for Plaintiff ZARIKA SOMAYA	
6 7	DATED: January 24, 2014	PILLSBURY WINTHROP SHAW PITTMAN LLP	
8		I II IMAN EE	
9		By: /s/ Michael J. Kass MICHAEL J. KASS (SBN 148822)	
10		Attorneys for Defendant	
11		BANK OF INDIA	
12	ATTESTATION		
13	I HEREBY ATTEST THAT, PURSUANT TO Local Rule 5-1(i)(3) concurrence in		
14	the filing of the document has been obtained from the other Signatory for the conformed		
15	signature ("/s/") within this electronically-filed document.		
16	DATED: January 24, 2014	PILLSBURY WINTHROP SHAW PITTMAN LLP	
17			
18		By: /s/ Michael J. Kass	
19		MICHAEL J. KASS (SBN 148822)	
20		Attorneys for Defendant BANK OF INDIA	
21		Difference in the interest of	
22	DECLADATION DE ECE SYSTEM	A FAILUDE ON LANGUADY 24, 2014	
23	DECLARATION RE: ECF SYSTEM FAILURE ON JANUARY 24, 2014		
24	I, Deirdre Campino, the undersigned, hereby declare as follows:		
25	1. I am over the age of 18 years and am not a party to the within cause. I am		
26	employed by Pillsbury Winthrop Shaw Pittman LLP in the County of San Francisco, State		
27	of California.		
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1	2. I attempted to e-file this Stipulation and [Proposed] Order Modifying		
2	Briefing Schedule for Motion for Summary Judgment several times using the ECF system		
3	on the afternoon of Friday, January 24, 2014, but the ECF filing system was down.		
4	3. I telephoned the ECF Help Desk at the United States District Court –		
5	Northern District of California on Friday afternoon after my filing attempts failed, and was		
6	told that indeed the ECF filing system was down. I explained that the filing deadline was		
7	Friday, January 24, 2014, and asked if I could do a paper filing. The Clerk told me that a		
8	paper filing was acceptable.		
9	4. This morning, Monday, January 27, 2014, I spoke to Judge Charles Breyer's		
10	Clerk and was told to submit the e-filing today with a Declaration regarding the ECF failure		
11	on Friday.		
12	I declare under penalty of perjury that the foregoing is true and correct. Executed		
13	this 27 th day of January, 2014, at San Francisco, California.		
14			
15	Deirdre Campino		
16	Dentite Campino		
17			
18			
19	ORDER MODIFYING BRIEFING SCHEDULE FOR MOTION FOR SUMMARY		
20	<u>JUDGMENT</u>		
21	GOOD CAUSE THEREFORE APPEARING, Defendant Bank of India's Reply in		
22	Support of its Motion for Summary Judgment will be filed on or before January 28, 2014.		
23	IT IS SO ORDERED.		
24	Dated: Jan. 27, 2014		
25	How. Charles P. Charle		
26			
27	Judge Charles R. Breyer		
28	Judge Chan		
	404326267v1 - 3 - STIPULATION AND [PROPOSED] ORDER MODIFYING PRIEFING SCHEDULE FOR MOTION FOR SUMMARY JUDGMENT STIPULATION AND [PROPOSED] ORDER		
	DISTRIC I Care No. C 12-04926 CRB		