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9 UNITED STATES DISTRICT COURT
 10 FOR NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

12 LIBORIO HERNANDEZ and ROGELIO
 13 RODRIGUEZ-PEREZ,

14 Plaintiffs,

15 v.

16 NOR-CAL MOVING SERVICES,

17 Defendant.

Case No.: CV12-05552 MEJ

**STIPULATION AND JOINT REQUEST
 TO CONTINUE INITIAL CASE
 MANAGEMENT CONFERENCE AND
 EXTEND INITIAL DEADLINES**

Date: February 21, 2013

Time: 10:00 a.m.

Judge: Maria-Elena James

Courtroom: B, 15th Floor

Trial Date: Not yet set

20 Plaintiff LIBORIO HERNANDEZ and ROGELIO RODRIGUEZ-PEREZ and Defendant
 21 NOR-CAL MOVING SERVICES, making a special appearance for purposes of this stipulation,
 22 through their attorneys' of record, hereby stipulate as follows:

24 WHEREAS, an initial Case Management Conference is currently scheduled for February
 25 21, 2013 at 10:00 a.m.

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WHEREAS, Defendant recently retained Jackson Lewis LLP as counsel in this matter, who promptly contacted Plaintiff’s counsel to address deficiencies in Plaintiff’s attempted service of the summons and complaint.

WHEREAS, Jackson Lewis LLP agreed to accept service of process by mail, including notice and acknowledgement of receipt, pursuant to applicable statutory requirements.

WHEREAS, Plaintiff intends to initiate service of process by mail concurrent with the filing of this stipulation and request for continuance.

WHEREAS, to allow the parties sufficient time to meaningfully meet and confer on all topics required by Federal Rules of Civil Procedure Rule 26, the Civil Local Rules, the Court’s standing order, and to promote judicial economy, the parties believe it is appropriate to continue the initial case management conference to a date following the statutory period for Defendant to answer or otherwise respond to the complaint following valid service of process.

THEREFORE, IT IS HEREBY STIPULATED between the parties, through their respective counsel of record, a joint request for continuance of the initial case management conference to April 25, 2013, or such other date available to the Court, and if the case management conference is continued, all other deadlines set forth in the Court’s Order Setting

1 Initial Case Management Conference and ADR Deadlines will be continued accordingly.

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3 **CASA LEGAL**

4 DATED: February 15, 2013 By: /s/ Tomas Margain
5 Tomas E. Margain
6 Attorneys for Plaintiffs

7 **JACKSON LEWIS LLP**

8 DATED: _____ By: _____
9 JoAnna L. Brooks
10 Douglas M. Bria
11 David T. Wang
12 Attorneys for Defendant
13 Nor-Cal Moving Services

14 **ORDER**

15 BASED ON THE PARTIES' STIPULATION, THE COURT'S FILE, AND GOOD
16 CAUSE SHOWN, THE COURT ORDERS AS FOLLOWS:

17 The initial Case Management Conference and Rule 26 deadlines are continued as follows:

18 **April 11, 2013**

- 19 • Last Day to Meet and Confer Regarding Initial Discloses, ADR process election and
20 discovery plan.
- 21 • Last Day to file ADR Certificate signed by Parties and Counsel.
- 22 • Last Day to either file a stipulation to ADR Process or Notice of Need for ADR Phone
23 Conference.
- 24
- 25

1 Initial Case Management Conference and ADR Deadlines will be continued accordingly.

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3 **CASA LEGAL**

4 DATED: _____

By: _____

5 Tomas E. Margain
6 Attorneys for Plaintiffs

7 **JACKSON LEWIS LLP**

8 DATED: 2/14/13

By: 

9 JoAnna L. Brooks
10 Douglas M. Bria
11 David T. Wang
12 Attorneys for Defendant
13 Nor-Cal Moving Services

14 **ORDER**

15 BASED ON THE PARTIES' STIPULATION, THE COURT'S FILE, AND GOOD
16 CAUSE SHOWN, THE COURT ORDERS AS FOLLOWS:

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