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Attorney for Plaintiff Limited to
Settlement Purposes Only
MARCO J. AZUCENA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCO J. AZUCENA,

Plaintiff,

vs.

LATINO COMMISSION ON ALCOHOL AND
DRUG ABUSE OF ALAMEDA COUNTY,

Defendant.

) CASE NO. C12-6033 JSW

)
) **STIPULATED JOINT REQUEST FOR**
) **CONTINUANCE OF HEARING ON**
) **DEFENDANT'S MOTION TO DISMISS**
) **(FRCP 12(B) AND FOR JUDGEMENT**
) **ON THE PLEADINGS AND**
) **CONTINUANCE OF ADR DEADLINE**
) **WITH ~~PROPOSED~~ ORDER**
) **THEREON**

)
) Date: August 9, 2013
) Time: 9:00 a.m.
) Courtroom: 11
) Trial Date: June 23, 2014

) [Jury Trial Demand]

) Complaint Filed: November 28, 2012

1 Defendant LATINO COMMISSION ON ALCOHOL AND DRUG ABUSE OF
2 ALAMEDA COUNTY and PLAINTIFF MARCO J. AZUCENA (hereinafter collectively “the
3 Parties”) respectfully request a continuance of the August 9, 2013 hearing on Defendant’s
4 Motion to Dismiss and for Judgment on the Pleadings (the “Motion”) as follows:

5 WHEREAS the Court granted a continuance for the parties to complete ADR by August
6 30, 2013;

7 WHEREAS Plaintiff has retained legal counsel for the limited purpose of settlement
8 negotiations/ mediation;

9 WHEREAS the Parties have scheduled private mediation for September 10, 2013;

10 WHEREAS the Parties believe that all disputed claims may potentially be resolved at the
11 September 10, 2013 mediation;

12 The parties respectfully request a 30-day continuance of the ADR deadline to
13 September 30, 2013;

14 The parties respectfully request to continue the hearing on Defendant’s Motion to
15 Dismiss and for Judgment on the Pleadings from August 9, 2013 to November 8, 2013, or the
16 first available hearing date after the scheduled mediation on September 10, 2013.

17 Dated: July 23, 2013

GORDON & REES LLP

18
19
20 By: /S/
21 Hieu Tran
22 Attorneys for Defendant
23 LATINO COMMISSION ON
24 ALCOHOL AND DRUG ABUSE OF
25 ALAMEDA COUNTY

26 Dated: July 23, 2013

27 By: /S/
28 William C. McNeill III
Attorney for Plaintiff Limited to
Settlement Purposes Only
MARCO J. AZUCENA

~~PROPOSED~~ ORDER

Pursuant to Defendant LATINO COMMISSION ON ALCOHOL AND DRUG ABUSE OF ALAMEDA COUNTY and Plaintiff MARCO J. AZUCENA'S stipulated request for continuance of the August 30, 2013 ADR deadline, the Court hereby continues the ADR deadline to September 30, 2013.

Pursuant to Defendant LATINO COMMISSION ON ALCOHOL AND DRUG ABUSE OF ALAMEDA COUNTY and Plaintiff MARCO J. AZUCENA'S stipulated request for continuance of the August 9, 2013 hearing on Defendant's Motion to Dismiss and for Judgment on the Pleadings, the Court hereby continues the hearing to November 8, 2013, at 9:00 a.m. ~~on the first available hearing date after the scheduled mediation on September 10, 2013.~~

IT IS SO ORDERED.

Dated: July 24, 2013


JUDGE JEFFREY S. WHITE

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