

1 GREGORY C. CHENG, State Bar No. 226865
gregory.cheng@ogletreedeakins.com
 2 LAUREN M. COOPER, State Bar No. 254580
lauren.cooper@ogletreedeakins.com
 3 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
 Steuart Tower, Suite 1300
 4 One Market Plaza
 San Francisco, CA 94105
 5 Tel.: 415.442.4810
 Fax: 415.442.4870

6 Attorneys for Defendant
 7 HOME DEPOT U.S.A., INC.

8 ALAN F. COHEN, State Bar No. 194075
 9 cohenlaw@mindspring.com
 LAW OFFICES OF ALAN F. COHEN
 10 101 Montgomery Street, Suite 2050
 San Francisco, CA 94104
 11 Tel.: 415.984.1943
 Fax: 415.984.1953

12 Attorneys for Plaintiff
 13 AARON LEWIS

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

17 AARON LEWIS,
 18 Plaintiff,
 19 vs.

20 HOME DEPOT U.S.A., Inc., a Corporation;
 21 ELENA PEREZ, an individual, and DOES 1 -
 22 20,
 23 Defendants.

Case No. CV 12-06354 EMC

**JOINT STIPULATION AND [PROPOSED]
 ORDER TO MODIFY THE COURT'S
 CIVIL MINUTES**

Action Filed: November 15, 2012
 Trial Date: None Set

24 ///
 25 ///
 26 ///
 27 ///
 28 ///

1 IT IS HEREBY STIPULATED by and between Plaintiff Aaron Lewis ("Plaintiff") and
2 Defendant Home Depot U.S.A., Inc. ("Defendant"), through their respective attorneys of record,
3 that the following Stipulation be entered as an Order by the Court to give effect to the stipulations
4 set forth below:

5 1. WHEREAS, pursuant to the Court's March 14, 2013 Civil Minutes, this matter was
6 set for further case management on July 11, 2013.

7 2. WHEREAS, pursuant to the Court's March 14, 2013 Civil Minutes, the Parties were
8 referred to the Court's Alternative Dispute Resolution program for mediation to be completed by
9 July 1, 2013.

10 3. WHEREAS, the Parties were referred to mediation with Arthur R. Siegel on March
11 22, 2013.

12 4. WHEREAS, based upon lead defense counsel's paternity leave and Plaintiff's
13 unavailability in early June 2013, the Parties are unable to complete the desired depositions prior to
14 the mediation completion date.

15 5. WHEREAS, Plaintiff's deposition is scheduled to occur on June 28, 2013.

16 6. WHEREAS, the deposition of Elena Perez is scheduled to occur on July 11, 2013.

17 7. WHEREAS, the Parties seek to schedule mediation to occur after the completion of
18 Plaintiff and Elena Perez's deposition.

19 NOW, THEREFORE, the Parties, through their respective counsel of record AGREE AND
20 HEREBY STIPULATE that the Civil Minutes shall be modified only as follows:

21 (a) The Case Management Conference be continued to August 22, 2013, or a later date
22 at the Court's convenience.

23 (b) The date to complete mediation be continued to August 15, 2013, or a later date at
24 the Court's convenience.

25 ///

26 ///

27 ///

28 ///

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

LAW OFFICES OF ALAN F. COHEN

DATED: April 23, 2013

By: /s/ Alan F. Cohen
ALAN F. COHEN

Attorneys for Plaintiff
AARON LEWIS

DATED: April 23, 2013

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Lauren M. Cooper
GREGORY C. CHENG
LAUREN M. COOPER

Attorneys for Defendant
HOME DEPOT U.S.A., INC.

SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other signatory.

DATED: April 23, 2013

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Lauren M. Cooper
LAUREN M. COOPER

Attorney for Defendant
HOME DEPOT U.S.A., INC.

ORDER

- (a) The Case Management Conference is continued to 8/22/13 at 10:30 a.m.
8/15/13
- (b) The Parties are to complete mediation no later than _____.

IT IS SO ORDERED.

DATED: April ²⁹____, 2013



HONORABLE EDWARD M. CHEN
Judge