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1	John H. Weston (SBN: 46146)	
2	johnhweston@wgdlaw.com G. Randall Garrou (SBN: 74442)	
3	randygarrou@wgdlaw.com Jerome H. Mooney (SBN: 199542)	
4	jerrym@mooneylaw.com Weston, Garrou & Mooney	
5	12121 Wilshire Boulevard, Suite 525 Los Angeles, CA 90025-1176	
6	Telephone: (310) 442-0072 Facsimile: (310) 442-0899	
7	Attorneys for Plaintiff	
8	IBiz, LLC	
9	MICHAEL S. LAWSON (SBN 048172)	
	City Attorney	
10	MICHAEL G. VIGILIA (SBN 228353) Assistant City Attorney	
11	CITY OF HAYWARD 777 B Street, 4th Floor	
12	Hayward, CA 94541-5007 Tel: (510) 583-4450	
13	Fax: (510) 583-3660 Michael.lawson@hayward-ca.gov	
14	Michael.vigilia@hayward-ca.gov	
15	Attorneys for Defendant City of Hayward	
16	UNITED STATES DISTRICT COURT	
17	NORTHERN DISTRICT OF CALIFORNIA	
18		
19	IBIZ, LLC, a California Limited Liability	Case No. CV 13 1537 SC
20	Company,	STIPULATION AND ORDER TO CONTINUE CMC AND TO ESTABLISH
21	Plaintiff,	FEES FILING DEADLINE
22		Date of CMC: Feb. 7, 2014
23	CITY OF HAYWARD, a California municipal corporation,	Time: 10:00 a.m. Place: Courtroom 1
24	Defendant	
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26	\mathbf{D}_{1} () \mathbf{L}_{1} \mathbf{D}_{2} \mathbf{L}_{1} \mathbf{L}_{2} \mathbf{L}_{1} \mathbf{D}_{2} \mathbf{L}_{1} \mathbf{L}_{2} \mathbf{L}_{1} \mathbf{L}_{2} $\mathbf{L}_$	
27	Pursuant to Local Rule 16-10(c), Plaintiff IBIZ, LLC ("Plaintiff" or "IBIZ") and	
28	Defendant the City of Hayward ("Defendant" or the "City") hereby submit this Stipulation and	
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	STIPULATION AND ORDER TO CONTINUE CMC AND TO ESTABLISH FEES FILING DEADLINE	

[Proposed] Order to continue the Case Management Conference presently set in this Court for
February 7, 2014 at 10 a.m. to April 11, 2014, at 10 a.m., and to establish a deadline of 30 days
following the conclusion of any ADR proceeding(s) in this case for the filing of any attorneys
fees motions.

As set forth in paragraph 16 of the Joint Case Management Statement (Doc. 55) filed on January 31, 2014, "Whether an attorneys fees motion need be filed will not be determined until after the conclusion of the ADR [proceedings]. Consequently, the parties propose that the filing of any attorneys fees motion be scheduled to occur no later than 30 days after the conclusion of any ADR [proceedings]."

10 Since the merits of this case are now moot, and since the parties are in agreement as to 11 how to proceed regarding attorneys fees, there would no longer seem to be a purpose for holding 12 the presently scheduled Case Management Conference, at least prior to the time (following any 13 ADR proceedings) that the parties conclude that it may become necessary to file attorneys fees 14 motions in order to resolve the outstanding attorneys fees issues. For this reason, the parties 15 mutually agree that holding the currently scheduled Case Management Conference at this stage 16 would be premature and request that the Court: (1) reschedule the Case Management Conference 17 to April 11, 2014; (2) order that any fees motions be filed within 30 days after the conclusion of 18 any ADR proceedings addressing the issue of attorneys' fees; and (3) further order that, any party 19 seeking attorneys fees shall file, within 5 days of the conclusion of such ADR proceedings, a 20 Supplemental Status Report, notifying the court of the conclusion of such proceedings.

WESTON, GARROU & MOONEY

DATED: February 3, 2014

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By: /s John H. Weston

JOHN H. WESTON Attorney for Plaintiff IBiz, LLC

2 STIPULATION AND ORDER TO CONTINUE CMC AND TO ESTABLISH FEES FILING DEADLINE

1	DATED: February 3, 2014 MICHAEL S. LAWSON, CITY ATTORNEY		
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3	By: s/ Michael G. Vigilia (as authorized on 1/31/14)		
4	MICHAEL G. VIGILIA		
5	Assistant City Attorney, City of Hayward Attorney for Defendant City of Hayward		
6			
7	ORDER		
8			
9	(1) The Case Management Conference presently set for February 7, 2014 in this case is 18		
10	continued to April 1, 2014 at 10:00 a.m.;		
11	(2) Any fees motions shall be filed within 30 days following the conclusion of any ADR		
12	proceedings; and		
13	(3) Any party seeking attorneys fees shall file, within 5 days of the conclusion of such		
14	ADR proceedings, a Supplemental Status Report, notifying the court of the conclusion of such		
15	proceedings.		
16	DATED: February <u>03</u> , 2014		
17			
18	E Parts Ville		
19	UNITE Conti DCE		
20	Z Judge Samuel Conti		
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22	FERN DISTRICT OF CP		
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	STIPULATION AND ORDER TO CONTINUE CMC AND TO ESTABLISH FEES FILING DEADLINE		