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8	IDIZ, ELC			
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10	City Attorney MICHAEL G. VIGILIA (SBN 228353) Assistant City Attorney			
11	Assistant City Attorney CITY OF HAYWARD			
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13	Tel: (510) 583-4450 Fax: (510) 583-3660			
14	Michael.lawson@hayward-ca.gov Michael.vigilia@hayward-ca.gov			
15	Attorneys for Defendant City of Hayward			
16				
17		ES DISTRICT COURT		
18	NORTHERN DIS	TRICT OF CALIFORNIA IT IS SO ORDERED AS MODIFIED		
19	IBIZ, LLC, a California Limited Liability	Case No. CV 13 1537 SC		
20	Company,	STIPULATION AND [PROPOSED]		
21	Plaintiff,	ORDER TO CONTINUE CMC FOR SIXTY DAYS		
22	VS.	Date of CMC: November 21, 2014		
23	CITY OF HAYWARD, a California municipal corporation,	Time: 10:00 a.m. Place: Courtroom 1		
24				
25	Defendant			
26				
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			
20	PRG8272.DOC	1		
	STIPULATION AND ORDER TO CONTINUE CMC FOR SIXTY DAYS			

[Proposed] Order to continue the Case Management Conference presently set in this Court for
 November 21, 2014 at 10 a.m. to January 20, 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, this Court previously ordered on
February 18, 2014, that the filing of any attorneys fees motion be scheduled to occur no later than
30 days after the conclusion of any ADR proceedings.

The current status of the ADR proceedings is that the matter is presently set for a
settlement conference before magistrate Laurel Beeler in Department C of this court at 10:30 a.m.
on December 17, 2014.

13 Since the merits of this case are now moot, and since the parties are in agreement as to 14 how to proceed regarding attorneys fees, there would no longer seem to be a purpose for holding 15 the presently scheduled Case Management Conference, at least prior to the time (following the 16 ADR proceedings) that the parties conclude it may become necessary to file attorneys fees 17 motions in order to resolve the outstanding attorneys fees issues. Since this court issued its Order 18 of September 15, 2014 (establishing the Current Case Management Conference date), the parties 19 have been diligently exchanging attorneys fees information and records in an attempt to arrive at 20 a non-judicial resolution of Plaintiff's attorneys fees claim. At this time, the parties have not 21 reached such a conclusion but believe that an additional sixty days to work out the details will 22 likely be sufficient. For this reason, the parties mutually agree that holding the currently 23 scheduled Case Management Conference at this stage would be premature and request that the Court reschedule the Case Management Conference to January 20, 2015 with the Case 24 25 Management Statement due no later than January 13, 2015.

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 15 16 continued to January 20, 2015 at 10:00 a.m. (2) Per this Court's order of February 18, 2014 (Doc. 57), any fees motions shall be within 30 days following the conclusion of any ADR proceedings; and (3) Per this Court's order of February 18, 2014 (Doc. 57), any party seeking att fees shall file, within 5 days of the conclusion of such ADR proceedings, a Supplemental Report, notifying the court of the conclusion of such proceedings. DATED: November 14, 2014 DATED: November 14, 2014 DATED: November 14, 2014 DATED: November 14, 2014 			
4 JOHN H. WESTON Attorney for Plaintiff IBiz, LLC 6 7 DATED: November 13, 2014 MICHAEL S. LAWSON, CITY ATTORNEY 8 9 By: s/ Michael G. Vigilia (as authorized on 1// MICHAEL G. VIGILIA Assistant City Attorney, City of Haywar Attorney for Defendant City of Haywar Attorney for Defendant City of Haywar Attorney for Defendant City of Haywar ORDER 13 ORDER 14 (1) The Case Management Conference presently set for November 21, 2014 in this continued to January 20, 2015 at 10:00 a.m. 16 (2) Per this Court's order of February 18, 2014 (Doc. 57), any fees motions shall 1 within 30 days following the conclusion of any ADR proceedings; and 19 (3) Per this Court's order of February 18, 2014 (Doc. 57), any party seeking attifees shall file, within 5 days of the conclusion of such ADR proceedings, a Supplemental Report, notifying the court of the conclusion of such proceedings. 21 DATED: November 14, 2014 22 DATED: November 14, 2014 23 UNDER IT IS SO ORDERED Judge Smuel Conti Judge Smuel Conti			
4 Attorney for Plaintiff 5 IBiz, LLC 6 IBiz, LLC 7 DATED: November 13, 2014 MICHAEL S. LAWSON, CITY ATTORNEY 8 By: s/Michael G. Vigilia (as authorized on 1/2 MICHAEL G. VIGILIA Assistant City Attorney, City of Haywar Attorney for Defendant City of Haywar (2) Per this Court's order of February 18, 2014 (Doc. 57), any fees motions shall full within 30 days following the conclusion of such ADR proceedings, a Supplemental Report, notifying the court of the conclusion of such proceedings. 21 DATED: November 14, 2014 23 DATED: November 14, 2014 24 INDEX IT IS SO ORDERED INDEX IT IS SO ORDERED INDEX IT IS SO ORDERED INDEX IT IS SO ORDERED 23 INDEX IT IS SO ORDERED INDEX IT IS OF INTERNET			
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