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7 Attorneys for Defendants
 WYNDHAM VACATION OWNERSHIP, INC.
 8 AND WYNDHAM WORLDWIDE CORP.

9 UNITED STATES DISTRICT COURT
 10
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

13 THOMAS CROOK & DONNA CROOK,

Case No. C 13-03669-EDL

14 Plaintiffs,

15 v.

**STIPULATION AND
 ORDER CONTINUING INITIAL CASE
 MANAGEMENT CONFERENCE AND
 ASSOCIATED DEADLINES PENDING
 DECISION ON MOTION TO COMPEL
 ARBITRATION**

16 WYNDHAM VACATION OWNERSHIP,
 INC., WYNDHAM WORLDWIDE,
 17 ANITA HOWELL, LINDA TANNER, and
 DOES 1 through 100, inclusive.

18 Defendants.
 19

Local Rule 6-1(b)

Current Conference Date: November 5, 2013
 Joint Statement Due: October 29, 2013
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22 Pursuant to Civil Local Rule 6-1(b), the parties, by and through their attorneys of record,
 23 hereby agree and stipulate as follows, subject to the approval of this Court:

24 (1) Defendants Wyndham Vacation Ownership, Inc. and Wyndham Worldwide Corp.
 25 (“Wyndham Defendants”) removed the above-captioned matter to this Court on August 7, 2013.

26 (2) On August 19, 2013, this Court entered its Case Management Conference Order
 27 setting the Initial Case Management Conference for November 5, 2013 at 2:00 p.m. *See* Docket
 28

1 No. 13. Pursuant to this Order, the parties' Joint Case Management Statement is due October 29,
2 2013 (7 days prior to the Initial Case Management Conference). *Id.*

3 (3) On August 22, 2013, the Wyndham Defendants filed their Motion to Compel
4 Arbitration and to Stay This Action. *See* Docket No. 15. This motion is fully-briefed, and is set
5 for hearing in front of this Court on October 30, 2013 at 2:00 p.m. *Id.*

6 (4) The parties have met and conferred and believe that it would conserve the
7 resources of the Court and of the parties to continue the Initial Case Management Conference and
8 the deadline to file a Joint Case Management Statement, in order to allow for the Court to hear
9 arguments and issue a ruling on the Wyndham Defendants' Motion to Compel Arbitration and to
10 Stay This Action.

11 (5) Good cause exists to continue the Initial Case Management Conference and the
12 associated deadlines because the Court's ruling on the pending Motion to Compel Arbitration has
13 the potential to obviate any need to conduct such a conference. If the motion is granted,
14 arbitration will be compelled and the rules of the American Arbitration Association will apply; if
15 the motion is denied, then the ruling likely would impact the contents of the parties' Joint Case
16 Management Statement and/or fall within the appeal rights set forth in 9 U.S.C. 16(a)(1), which
17 would further defer any need for a case management conference.

18 (6) There are no other deadlines currently on calendar in this case that would be
19 affected by a continuance of the Initial Case Management Conference and the associated
20 deadlines.

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1 (7) This is the parties' first request for a continuance of the Initial Case Management
2 Conference and the associated deadlines in this matter.

3 **IT IS SO STIPULATED.**

4
5 Dated: October 24, 2013

Respectfully submitted,
Schiff Hardin LLP

6 By: /s/ Sarah D. Youngblood

7 Rocky N. Unruh
8 Sarah D. Youngblood
9 Counsel for Defendants
10 WYNDHAM VACATION OWNERSHIP,
11 INC. AND WYNDHAM WORLDWIDE
12 CORP.

13
14 Dated: October 24, 2013

Figari Law

15 By: /s/ Barbara Figari

16 Barbara Figari
17 Counsel for Plaintiffs
18 THOMAS CROOK AND DONNA
19 CROOK

20 I attest and certify that I received permission from plaintiffs' counsel before e-filing this
21 document and will retain proof of this permission.

22
23 Dated: October 24, 2013

Schiff Hardin LLP

24 By: /s/ Sarah D. Youngblood

25 Rocky N. Unruh
26 Sarah D. Youngblood
27 Counsel for Defendants
28 WYNDHAM VACATION OWNERSHIP,
INC. AND WYNDHAM WORLDWIDE
CORP.

29 **PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, THE**
30 **COURT ENTERS THE FOLLOWING ORDER:**

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1 The November 5, 2013 Initial Case Management Conference is continued to November 19
2 2013 at 2:00 p.m. in Courtroom 2 on the 17th floor of the Federal Building, 450 Golden Gate
3 Avenue, San Francisco, California. All deadlines associated with the Initial Case Management
4 Conference, including the deadline to file a Joint Case Management Statement, shall be calculated
5 based on the new date for the Initial Case Management Conference.

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7 Dated: October 28, 2013


HONORABLE WILLIAM H. ORRICK
UNITED STATES DISTRICT JUDGE

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