1 2 3 4 5 6 7 8	Simon J. Frankel (State Bar No. 171552) sfrankel@cov.com Matthew D. Kellogg (State Bar No. 280541) mkellogg@cov.com COVINGTON & BURLING LLP One Front Street San Francisco, CA 94111-5356 Tel.: (415) 591-6000 Fax: (415) 591-6091 Attorneys for Defendants ART.COM, INC. and CULTURENIK PUBLISHING, INC.	
9	UNITED STATE	S DISTRICT COURT
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
11	SAN FRANCISCO DIVISION	
12		
13	PETE LIVINGSTON,	Com No. 12:12 02749 190
14	Plaintiff,	Case No.: 3:13-cv-03748-JSC
15	V.	STIPULATED REQUEST FOR ORDER RESCHEDULING CASE
16	ART.COM, INC., CULTURENIK	MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2
17	PUBLISHING, INC., and CLASSICO SAN FRANCISCO, INC.,	
18 19	Defendants.	
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	STIPULATED REQUEST FOR ORDER RESCHEDULING CASE MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2	Case No.: 3:13-cv-03748-JSC
		Dockets.Justia.com

1	Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Pete Livingston, on the one	
2	hand, and Defendants Art.com, Inc. and Culturenik Publishing, Inc. (collectively,	
3	"Defendants"), on the other, stipulate as follows:	
4	WHEREAS, on November 22, 2013, the Court issued an Order referring the	
5	parties for an Early Neutral Evaluation ("ENE") to occur within the next 90 days and scheduling	
6	the next Case Management Conference ("CMC") for March 6, 2014 (Dkt. No. 33);	
7	WHEREAS, because of scheduling difficulties related to the holiday season, an	
8	ENE Evaluator was not appointed in this case until January 14, 2014 (Dkt. No. 36);	
9	WHEREAS, on January 27, 2014, the appointed Evaluator withdrew from the	
10	case because of a newly discovered conflict, and the ADR Clerk appointed a new Evaluator on	
11	January 30, 2014 (Dkt. Nos. 37, 38);	
12	WHEREAS, based on the parties' availability, the ENE Hearing has been	
13	scheduled for March 4, 2014, which is two days before the currently scheduled CMC on	
14	March 6, 2014 and five days after the parties would be required to file a Joint Case Management	
15	Statement pursuant to Civil L.R. 16-10(d);	
16	NOW, THEREFORE, Plaintiff and Defendants jointly request that the Court	
17	enter an order moving the date of the next CMC to March 20, 2014. This change will not alter	
18	the date of any other event or deadline already fixed by Court order. Attached to this stipulation	
19	is the supporting declaration of Simon J. Frankel, as required by Civil L.R. 6-2(a).	
20	IT IS SO STIPULATED.	
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22	[Signatures on following page.]	
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	STIPULATED REQUEST FOR ORDER RESCHEDULING CASE MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2	

1	DATED: February 14, 2014	COVINGTON & BURLING LLP
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3		Drug // Simon I Frankal
4		By: <u>/s/ Simon J. Frankel</u> Simon J. Frankel
5		Attorneys for Defendants
6		ART.COM, INC. and CULTURENIK PUBLISHING, INC.
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8	DATED: February 14, 2014	LAW OFFICES OF TESFAYE W. TSADIK
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11		By: <u>/s/ Tesfaye W. Tsadik</u> Tesfaye W. Tsadik
12		Attorney for Plaintiff
13		PETE LIVINGSTON
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18	PURSUANT TO STIPULATION, IT IS SO O	RDERED.
19		
20	DATED: <u>Feb. 24</u> , 2014	Hon. Jacqueline Scott Corley
21		United States Magistrate Judge
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28	STIPULATED REQUEST FOR ORDER RESCHEDULING CASE MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2	3 Case No.: 3:13-cv-03748-JSC

1	ECF CER	RTIFICATION		
2	I, Simon J. Frankel, am the ECF User whose identification and password are			
3	being used to file this Stipulated Request for C	being used to file this Stipulated Request for Order Rescheduling Case Management Conference		
4	Pursuant to Civil L.R. 6-2. In compliance with	Pursuant to Civil L.R. 6-2. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that		
5	Plaintiff's counsel Tesfaye W. Tsadik has con	Plaintiff's counsel Tesfaye W. Tsadik has concurred in this filing.		
6				
7				
8	DATED: February 14, 2014	COVINGTON & BURLING LLP		
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10		By: <u>/s/ Simon J. Frankel</u> Simon J. Frankel	—	
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	STIPULATED REQUEST FOR ORDER RESCHEDULING CASE MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2	4 Case No.: 3:13-cv-03748-JS0	С	

1 2	Simon J. Frankel (State Bar No. 171552) sfrankel@cov.com Matthew D. Kellogg (State Bar No. 280541)	
3	mkellogg@cov.com COVINGTON & BURLING LLP	
4	One Front Street San Francisco, CA 94111-5356	
5	Tel.: (415) 591-6000 Fax: (415) 591-6091	
6	Attorneys for Defendants ART.COM, INC. and	
7	CULTURENIK PUBLISHING, INC.	
8		
9	UNITED STATES I	DISTRICT COURT
10	FOR THE NORTHERN DIS	STRICT OF CALIFORNIA
11	SAN FRANCIS	CO DIVISION
12		
13	PETE LIVINGSTON,	
14	Plaintiff,	Case No.: 3:13-cv-03748-JSC
15	V.	DECLARATION OF SIMON J. FRANKEL IN SUPPORT OF
16	ART.COM, INC., CULTURENIK	STIPULATED REQUEST FOR ORDER RESCHEDULING CASE
17	PUBLISHING, INC., and CLASSICO SAN FRANCISCO, INC.,	MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2
18	Defendants.	
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28	DECLARATION OF SIMON J. FRANKEL IN SUPPORT OF STIPULATED REQUEST FOR ORDER RESCHEDULING CASE MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2	Case No.: 3:13-cv-03748-JSC

1	DECLARATION OF SIMON J. FRANKEL	
2	1. I am an attorney in the law firm of Covington & Burling LLP, counsel for	
3	defendants Art.com, Inc. and Culturenik Publishing, Inc. The matters set forth herein are true	
4	and correct and of my own personal knowledge, and, if called as a witness, I could and would	
5	testify competently thereto.	
6	2. On November 22, 2013, the Court issued an Order referring the parties	
7	for an Early Neutral Evaluation ("ENE") to occur within the next 90 days and scheduling the	
8	next Case Management Conference ("CMC") for March 6, 2014. (Dkt. No. 33.)	
9	3. Because of scheduling difficulties related to the holiday season, an ENE	
10	Evaluator was not appointed in this case until January 14, 2014. (Dkt. No. 36.)	
11	4. On January 27, 2014, the appointed Evaluator withdrew from this case	
12	because of a newly discovered conflict, and the ADR Clerk appointed a new Evaluator on	
13	January 30, 2014. (Dkt. Nos. 37, 38.)	
14	5. Based on the parties' availability, the ENE Hearing has been scheduled	
15	for March 4, 2014, which is two days before the currently scheduled CMC on March 6, 2014	
16	and five days after the parties would be required to file a Joint Case Management Statement	
17	pursuant to Civil L.R. 16-10(d).	
18	6. Rescheduling the date of the next CMC to March 6, 2014 will not alter	
19	the date of any other event or deadline already fixed by Court order.	
20	I declare under penalty of perjury under the laws of the United States and the	
21	State of California that the foregoing is true and correct.	
22	Executed in San Francisco, California on February 14, 2014.	
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24	/s/ Simon J. Frankel	
25	Simon J. Frankel	
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28	DECLARATION OF SIMON J. FRANKEL IN SUPPORT OF STIPULATED REQUEST FOR ORDER RESCHEDULING CASE MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 6-2	