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15
 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18

19 Arville Winans, by and through his Guardian ad litem,
 20 Renee Moulton, on his own behalf and on behalf of others
 similarly situated,

21 Plaintiff,

22 vs.

23 Emeritus Corp. and DOES 1 THROUGH 100,

24 Defendants.
 25
 26

CASE NO. 3:13-cv-03962-SC

STIPULATION AND
~~**PROPOSED**~~ **ORDER TO**
RESET THE CASE
MANAGEMENT
CONFERENCE

Judge: Hon. Samuel Conti

CMC: January 9, 2015
 10:00 a.m.
 Courtroom 1

28 **STIPULATION AND [PROPOSED] ORDER TO RESET THE CASE MANAGEMENT CONFERENCE**
Winans v. Emeritus Corp., Case No. 3:13-cv-03962-SC

1 **STIPULATION**

2 The Parties hereby provide notice of their stipulation to reset the Case Management
3 Conference, currently scheduled for January 9, 2015, at 10:00 a.m., with the Honorable Samuel
4 Conti.

5 **WHEREAS**, the parties filed a Joint Initial Case Management Statement and Joint Rule
6 26(f) Conference Report on December 13, 2013;

7 **WHEREAS**, on March 5, 2014, the Court denied Defendants’ Motion to Strike the First
8 Amended Complaint, and the Court granted in part and denied part Defendants’ Motion to
9 Dismiss the First Amended Complaint;

10 **WHEREAS**, the parties filed an Amended Joint Initial Case Management Statement on
11 April 11, 2014;

12 **WHEREAS**, the Initial Case Management Conference occurred on April 18, 2014, with
13 the Honorable Samuel Conti;

14 **WHEREAS**, on June 9, 2014, the Court granted in part and denied in part Plaintiff’s
15 Motion for Clarification;

16 **WHEREAS**, Plaintiff is preparing his Second Amended Complaint;

17 **WHEREAS**, the Parties, upon meeting and conferring, have agreed to reset the Case
18 Management Conference currently set for January 9, 2015, to February 20, 2015, so that the Case
19 Management Conference may occur after the Plaintiff files or seeks leave to file his Second
20 Amended Complaint;

21 **NOW THEREFORE**, the Parties, by and through their counsel of record and subject to
22 Court approval, hereby stipulate that:

23 1. The Case Management Conference set for January 9, 2015, at 10:00 a.m., should be
24 reset to February 20, 2015, or a later date pursuant to the Court’s availability; and

25 2. The parties shall file a Joint Case Management Statement on or before February 13,
26 2015.

27 //

1 **IT IS SO STIPULATED.**

2 DATED: December 30, 2014

3 STEBNER AND ASSOCIATES

4 /s/ Kathryn A. Stebner

5 Kathryn A. Stebner

6 Attorneys for Plaintiff and the proposed Class

7 DATED: December 30, 2014

8 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

9 /s/ Thomas J. Nolan

10 Thomas J. Nolan

11 Attorneys for Defendant

12 **DECLARATION OF CONSENT**

13 I, Kathryn A. Stebner, hereby declare, pursuant to the Northern District of California
14 Civil Local Rule 5-1(i)(3), that I have obtained concurrence in the filing of this document from
15 Thomas J. Nolan. I declare under penalty of perjury that the foregoing is true and correct.

16 Executed on December 30, 2014, in the City of San Francisco, California.

17 /s/ Kathryn Stebner

18 Kathryn A. Stebner

19 **ORDER**

20 **PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED. A**
21 **FURTHER CASE MANAGEMENT CONFERENCE WILL BE HELD ON**

22 February 20, 2015 AT 10:00 AM.

23 Dated: 01/02/2015

24
25
26 Honorable Samuel Conti
27 United States District Court
28

