

1 K&L GATES LLP  
 Four Embarcadero Center, Suite 1200  
 San Francisco, CA 94111  
 2 Telephone: (415) 882-8200  
 Facsimile: (415) 882-8220  
 3 Susan E. Hollander (SBN 133473)  
*susan.hollander@klgates.com*  
 4 Jocelyn M. Belloni (SBN 253482)  
*jocelyn.belloni@klgates.com*  
 5 Sharoni S. Finkelstein (SBN 271829)  
*sharoni.finkelstein@klgates.com*  
 6

7 K&L GATES LLP  
 10100 Santa Monica Boulevard  
 Los Angeles, CA 90067  
 8 Telephone: (310) 552-5000  
 Facsimile: (310) 552-5001  
 9 Seth A. Gold (SBN 163220)  
*seth.gold@klgates.com*  
 10 Christina N. Goodrich (SBN 261722)  
*christina.goodrich@klgates.com*  
 11

12 Attorneys for Plaintiff  
 GMYL, L.P.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION  
 16

17 GMYL, L.P., a California limited partnership;  
 Plaintiff,  
 18  
 19 vs.  
 20 ERNESTO COPPOLA, an individual; COPPOLA  
 FOODS LIMITED, a foreign company; and  
 21 DOES 1 THROUGH 10  
 Defendants.  
 22  
 23  
 24

CASE NO. 13-cv-04739-RS  
 ORDER  
**JOINT STIPULATION AND  
 REQUEST FOR ORDER TO (1)  
 REFER MATTER TO THE HON.  
 MARIA-ELENA JAMES FOR  
 SETTLEMENT CONFERENCE AND  
 (2) ENLARGE TIME FOR  
 JURISDICTIONAL DEPOSITIONS  
 OF FOREIGN DEFENDANTS TO  
 COINCIDE WITH SETTLEMENT  
 CONFERENCE APPEARANCE**

25 IT IS HEREBY STIPULATED by and between Plaintiff GMYL, L.P. (“Plaintiff” or  
 26 “GMYL”) and Defendants Ernesto Coppola and Coppola Foods Limited (collectively, “Coppola”),  
 27 by and through their counsel of record, as follows:  
 28

1 WHEREAS, on October 11, 2013, GMYL filed its Complaint against Coppola;

2 WHEREAS, on February 5, 2014, Coppola filed a Motion to Dismiss Claims, whereby  
3 Coppola Foods Limited seeks, *inter alia*, dismissal of the claims against it for lack of personal  
4 jurisdiction;

5 WHEREAS, on February 20, 2014, pursuant to the Case Management Conference, the Court  
6 ordered that Plaintiff may take limited discovery regarding personal jurisdiction and may take that  
7 discovery until April 22, 2014 (the “Jurisdictional Discovery Period”);

8 WHEREAS, in March 24 and March 27, 2014 orders, Magistrate Judge Spero ordered that, in  
9 connection with Plaintiff’s taking jurisdictional discovery, the depositions of non-United States  
10 residents and defendants Coppola Foods Limited and Ernesto Coppola shall take place in San  
11 Francisco;

12 WHEREAS, shortly after the March 24 and March 27 orders, the parties agreed to schedule a  
13 settlement conference during the same time frame that Coppola Foods Limited and Ernesto Coppola  
14 appear in San Francisco for depositions, and agreed that they would schedule such depositions after  
15 the parties’ anticipated settlement conference;

16 WHEREAS, immediately after the parties agreed to schedule their settlement conference  
17 along with defendants’ jurisdictional depositions, the parties worked diligently in an attempt to  
18 schedule a settlement conference with a Northern District of California magistrate judge in a manner  
19 consistent with the schedules of counsel and of the parties, and during the Jurisdictional Discovery  
20 Period;

21 WHEREAS, due to the schedules of counsel and of the parties, and of the availability of  
22 magistrate judges in the Northern District of California, the parties have been unable to set dates for a  
23 settlement conference and dates for the depositions of Coppola Foods Limited and Ernesto Coppola  
24 during the Jurisdictional Discovery Period;

25 WHEREAS, the parties have agreed that engaging in a settlement conference before the Hon.  
26 Maria-Elena James would further their interests in attempting to resolve this matter;

27 WHEREAS, May 19, 2014 is the first date that the Hon. Maria-Elena James has available to  
28 preside over a settlement conference where all parties and counsel can attend;

1 WHEREAS, good cause exists for scheduling the settlement conference during the same time  
2 frame as, but before, the appearances for the jurisdictional depositions of defendants Coppola Foods  
3 Limited and Ernesto Coppola because (1) it furthers the policy of attempting to settle matters prior to  
4 trial, (2) it is in the interest efficiency because it schedules two events—specifically, defendants’  
5 depositions and a settlement conference—during a single visit by defendants who reside outside the  
6 United States, and (3) if the parties settle their dispute prior to the depositions, then the parties will be  
7 able to avoid the time and expense necessary for depositions;


8 WHEREAS, good cause exists to enlarge the time for the jurisdictional depositions of  
9 Coppola Foods Limited and Ernesto Coppola because in the absence of such enlargement, the parties  
10 will not be able to schedule a settlement conference during defendants’ appearance for their  
11 jurisdictional depositions and because defendants likely will not agree to travel in the near future to  
12 the United States on a separate itinerary for a settlement conference;

13 NOW, THEREFORE, Plaintiff GMYL and Defendants Coppola Foods Limited and Ernesto  
14 Coppola hereby STIPULATE that, this matter shall be referred to the Hon. Maria-Elena James for a  
15 settlement conference and, pursuant to Northern District of California Civil Local Rule 6-2, the  
16 Jurisdictional Discovery Period shall be extended to May 27, 2014.

17 DATED: April 3, 2014 /s/ Sharoni S. Finkelstein  
18 Sharoni S. Finkelstein  
19 K&L GATES LLP  
Attorneys for Plaintiff

20 DATED: April 3, 2014 /s/ Walter C. Pfeffer  
21 Walter C. Pfeffer  
22 COLT/SINGER/BEA LLP  
Attorneys for Defendant

23 PURSUANT TO STIPULATION, IT IS ORDERED that this action shall be referred to the Hon.  
24 Maria-Elena James for a settlement conference and, pursuant to Northern District of California Civil  
25 Local Rule 6-2, the Jurisdictional Discovery Period shall be extended to May 27, 2014.

26  
27 DATED: April 4, 2014   
28 RICHARD SEEBORG  
United States District Judge