

1 STEPHEN P. BERZON (SBN 46540)  
 2 CONNIE K. CHAN (SBN 284230)  
 3 ALTSHULER BERZON LLP  
 4 177 Post Street, Suite 300  
 5 San Francisco, CA 94108  
 Telephone: (415) 421-7151  
 Facsimile: (415) 362-8064  
 Email: sberzon@altshulerberzon.com  
 Email: cchan@altshulerberzon.com

6 RICHARD EDELMAN (pro hac vice)  
 7 O'DONNELL, SCHWARTZ &  
 8 ANDERSON, P.C.  
 9 1300 L Street, N.W.  
 Suite 1200  
 Washington, DC 20005  
 Telephone: (202) 898-1707  
 Facsimile: (202) 682-9276  
 Email: redelman@odsaw.com

11 Attorneys for Defendant Transport Workers  
 12 Union of America, AFL/CIO

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 DANIEL DEMETRIS, et al.

16 Plaintiffs,

17 v.

18 TRANSPORT WORKERS UNION OF  
 19 AMERICA, AFL/CIO,

20 Defendant.

) Case No. 3:13-cv-05566-VC  
 )  
 )

) **STIPULATION AND [PROPOSED]**  
 ) **ORDER CONTINUING CASE**  
 ) **MANAGEMENT CONFERENCE**  
 ) **Civ. L.R. 6-2**

) Date: n/a  
 ) Time: n/a  
 ) Ctrm.: 4  
 ) Judge: Hon. Vince Chhabria

) **Complaint Filed: December 4, 2013**  
 ) **Trial Date: n/a**

1 Plaintiffs Daniel Demetris, William Burke, Daniel Burstein, Patrick Collins, Richard  
2 Gorgas, Paul Herfel, Robert Marini, Abdul Morani, Paul Morrone, Robert Palacek, and Thomas  
3 Powell (collectively “Plaintiffs”), and Defendant Transport Workers Union of America,  
4 AFL/CIO (“Defendant”), herein referred to collectively as the “Parties,” hereby stipulate, by and  
5 through their respective attorneys of record, as follows:

6 WHEREAS, a case management conference was originally scheduled in this matter for  
7 September 18, 2014 at 2:00 p.m.;

8 WHEREAS, on September 17, 2014, the Court issued an order on the parties’ stipulation  
9 relating Letbetter, et al. v. Local 514, Transport Workers Union of America, et al., Case No.  
10 3:14-cv-04075-VC (N.D. Cal.) (the “Letbetter Action”) to this case, and rescheduled the  
11 September 18 case management conference to September 30, 2014 at 10:00 a.m. to coincide with  
12 an initial case management conference in Letbetter set for the same date and time;

13 WHEREAS, Stephen Berzon, lead counsel for Defendant TWU, is traveling for prior  
14 work commitments on September 30, 2014 and therefore not available to attend the case  
15 management conferences currently set for that day;

16 WHEREAS, due to various scheduling conflicts among counsel for TWU, counsel for  
17 Demetris Plaintiffs, counsel for Letbetter Plaintiffs, and counsel for defendant Local 514 in the  
18 Letbetter Action, the next Tuesday on which all counsel are available is November 4, 2014; and

19 WHEREAS, no other deadlines have yet been set in either the above-captioned matter or  
20 in Letbetter, and therefore rescheduling the September 30, 2014 case management conference in  
21 both cases will not affect any other case scheduling deadlines;

22 Hence, pursuant to Civil Local Rule 6-2, the Parties stipulate that the case management  
23 conferences currently set for September 30, 2014 in the above-captioned matter and in the  
24 related Letbetter Action shall be rescheduled for November 4, 2014 at 10:00 a.m., provided that  
25 date is convenient for the Court.

26 Dated: September 23, 2014

STEPHEN P. BERZON (SBN 46540)  
CONNIE K. CHAN (SBN 284230)  
ALTSHULER BERZON LLP  
177 Post Street, Suite 300  
San Francisco, CA 94108

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Telephone: (415) 421-7151  
Facsimile: (415) 362-8064  
Email: sberzon@altshulerberzon.com  
Email: cchan@altshulerberzon.com

RICHARD EDELMAN (pro hac vice)  
O'DONNELL, SCHWARTZ & ANDERSON, P.C.  
1300 L Street, N.W.  
Suite 1200  
Washington, DC 20005  
Telephone: (202) 898-1707  
Facsimile: (202) 682-9276  
Email: redelman@odsalaw.com

by: /s/ Connie K. Chan  
Connie K. Chan

Attorneys for Defendant

Dated: September 23, 2014

MICHAEL A. CADDELL (SBN 249469)  
CYNTHIA B. CHAPMAN (SBN 164471)  
AMY E. TABOR (pro hac vice)  
CADDELL & CHAPMAN  
1331 Lamar, Suite 1070  
Houston, TX 77010-3027  
Telephone: (713) 751-0400  
Facsimile: (713) 751-0906  
Email: mac@caddellchapman.com  
Email: cbc@caddellchapman.com  
Email: aet@caddellchapman.com

ARTHUR FELDMAN (pro hac vice)  
BERG FELDMAN JOHNSON BELL, LLP  
4203 Montrose Blvd., Suite 150  
Houston, Texas 77006  
Tel.: (713) 526-0200  
Facsimile: (832) 615-2665  
Email: afeldman@bfjblaw.com

AKBAR KABANI (pro hac vice)  
ARSHIL KABANI (pro hac vice)  
KABANI & KABANI, PLLC  
3030 Lyndon B. Johnson Fwy, Suite 700  
Dallas, TX 75234  
Telephone: (888) 669-2889  
Facsimile: (214) 722-7625  
Email: akbar@kabanilaw.com

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by: /s/ Michael A. Caddell  
Michael A. Caddell

Attorneys for Plaintiffs

1                   **DECLARATION OF CONNIE K. CHAN IN SUPPORT OF STIPULATION**

2                   I, Connie K. Chan, declare as follows:

3                   1.       I am a member in good standing of the bar of the State of California and am  
4 counsel for Defendant TWU in the above-captioned case. I am also counsel for Defendant TWU  
5 in the related case *Letbetter, et al. v. Local 514, Transport Workers Union of America, et al.*,  
6 Case No. 3:14-cv-04075-VC (N.D. Cal.) (the “*Letbetter Action*”). I make this declaration in  
7 support of the Parties’ stipulated request to move the case management conference currently set  
8 for September 30, 2014. The facts set forth in this declaration I know to be true of my own  
9 personal knowledge, except where such facts are stated to be based on information and belief,  
10 and those facts I believe to be true.

11                  2.       On September 17, 2014, the Court issued an order on the parties’ stipulation  
12 relating the *Letbetter Action* to the *Demetris Action*, and set an initial case management  
13 conference in the *Letbetter Action* for September 30, 2014, at 10:00 a.m. That same day, the  
14 Court reset the case management conference in the *Demetris Action* originally scheduled for  
15 September 18, 2014 at 2:00 p.m. to September 30, 2014, at 10:00 a.m.

16                  3.       Due to previously scheduled work commitments, Stephen Berzon, lead counsel  
17 for TWU in both this action and the related *Letbetter Action*, will be traveling on September 30,  
18 2014 and therefore is not able to attend the case management conferences currently scheduled for  
19 that day.

20                  4.       I informed counsel for *Demetris* plaintiffs, counsel for *Letbetter* plaintiffs, and  
21 counsel for defendant Local 514 in the *Letbetter Action* of Mr. Berzon’s scheduling conflict and  
22 requested that they stipulate to continue the case management conferences to a mutually  
23 agreeable date.

24                  5.       Upon information and belief, due to counsel’s various scheduling conflicts, the  
25 next Tuesday on which all counsel are available is November 4, 2014.

26                  6.       No other deadlines have yet been set in either matter, and therefore rescheduling  
27 the September 30, 2014 case management conference in both cases will not affect any other case  
28 scheduling deadlines.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed at San Francisco, California, on September 23, 2014.

/s/ Connie K. Chan \_\_\_\_\_  
Connie K. Chan

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~~PROPOSED~~ ORDER

Pursuant to the Parties' stipulation and for good cause shown, the Case Management Conference currently set for September 30, 2014 at 10:00 a.m. is hereby rescheduled to November 4, 2014 at 10:00 a.m.

**IT IS SO ORDERED.**

Dated: September 24, 2014

