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 9 United States Secretary of Labor

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

13 THOMAS E. PEREZ, Secretary of Labor,
 UNITED STATES DEPARTMENT OF
 14 LABOR,

15 Plaintiff,

16 v.

17 ANIMAL CLINIC OF ALAMO, INC., a
 18 corporation; DEBORAH KNIBB, an individual;
 19 JOHN C. BAINE, III, an individual; and the
 20 ANIMAL CLINIC OF ALAMO PROFIT
 SHARING PLAN, an employee pension benefit
 21 plan.
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Case No. 3:14-cv-667

AMENDED ORDER

**SECRETARY'S REQUEST TO
 CONTINUE INITIAL CASE DEADLINES**

Chief Magistrate Judge Maria-Elena James

1 Plaintiff Thomas E. Perez, the United States Secretary of Labor (“Secretary”), filed the
2 complaint in this case on February 12, 2012. The following day, the Court issued an Order
3 setting April 24, 2014 as the last day for the parties to meet and confer regarding initial
4 disclosures, discovery plan, and ADR matters, and to file initial ADR papers. Dkt. No. 3. The
5 Order also set May 8, 2014 as the deadline for the parties to file their Rule 26(f) report and serve
6 initial disclosures, and set the initial case management conference for May 15, 2014. *Id.*

7 The Secretary sent requests for waivers of service to all defendants on March 4, 2012.
8 Dkt. Nos. 4-7. Defendants Animal Clinic of Alamo, Inc., John Baine, III, and the Animal Clinic
9 of Alamo Profit Sharing Plan returned waivers of service to the Secretary on March 27. Dkt.
10 Nos. 8-10. Defendant Deborah Knibb, however, did not respond to the waiver request, which the
11 Secretary sent to her last known mailing address, a post office box. The Secretary is currently
12 attempting to locate and serve Ms. Knibb but to date has not completed service.

13 Accordingly, the Secretary requests that the Court extend all initial deadlines 60 days to
14 provide sufficient time for the Secretary to locate and serve Ms. Knibb and for the parties to meet
15 and confer, as follows:

16 **June 23, 2014:** Last day to:

- 17 • Meet and confer re: initial disclosures, early settlement, ADR process
- 18 selection, and discovery plan;
- 19 • File ADR certification signed by parties and counsel;
- 20 • File either stipulation to ADR process or notice of need for ADR phone
- 21 conference.

22 **July 7, 2014:** Last day to file Rule 26(f) report, complete initial disclosures or state
23 objection and file case management statement.

24 ~~**July 14, 2014:** Initial case management conference.~~

25 // July 17, 2014 at 10:00 a.m., for Initial CMC.

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Dated: April 15, 2014

Respectfully submitted,

M. PATRICIA SMITH
Solicitor of Labor

JANET M. HEROLD
Regional Solicitor

DANIELLE L. JABERG
Counsel for ERISA

By: /s/ Benjamin R. Botts
BENJAMIN R. BOTTs
Trial Attorney
Attorneys for Plaintiff,
United States Secretary of Labor



DATED: 4/15/2014
Request is GRANTED, the
above deadlines are continued.