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13 Attorneys for Defendant  
NIKE RETAIL SERVICES, INC.

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 16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
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19 PAYAL PATEL, an individual, on behalf of  
 herself, on behalf of all persons similarly  
 20 situated, and as the representative of the State  
 of California,

21 Plaintiff,

22 v.

23 NIKE RETAIL SERVICES, INC., a  
 24 Corporation; and DOES 1 through 50,  
 inclusive,

25 Defendants.  
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Case No. 3:14-cv-00851

Judge: Hon. Jon S. Tigar

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE THE CASE  
 MANAGEMENT CONFERENCE AND  
 RELATED DEADLINES**

Complaint Filed: November 25, 2013  
 Complaint Served: February 7, 2014  
 Case Removed: February 26, 2014

1 **STIPULATION**

2 Pursuant to Federal Rule of Civil Procedure 6(b), Defendant NIKE Retail Services, Inc.  
3 (“Defendant”) and Plaintiff Payal Patel (“Plaintiff”) (collectively, the “Parties”), acting by and  
4 through their respective counsel, hereby stipulate and request that the Court continue the current  
5 Case Management Conference and related deadlines for the Parties to conduct their initial Rule  
6 26(f) conference, exchange initial disclosures, and to file a Joint Case Management Statement  
7 pursuant to Local Rule 16-9. This stipulation is based on the following facts:

8 WHEREAS, Plaintiff’s Motion to Remand was heard on May 8, 2014;

9 WHEREAS, Plaintiff’s Motion to Remand was taken under submission and no ruling has  
10 been issued by this Court;

11 WHEREAS, the deadline for the parties to meet and confer pursuant to Federal Rule of  
12 Civil Procedure 26(f) was May 14, 2014;

13 WHEREAS, the Parties are to file their Joint Case Management Statement and exchange  
14 initial disclosures by tomorrow, May 20, 2014;

15 WHEREAS, the Case Management Conference is scheduled for June 4, 2014;

16 WHEREAS, the Parties agree that the pending Motion to Remand should be resolved  
17 before the Parties and the Court expend time and resources on conferences, reports and  
18 disclosures;

19 WHEREAS, the Parties’ jointly request that the Court continue the current Case  
20 Management Conference and related deadlines to a date after the Court rules on Plaintiff’s  
21 Motion to Remand;

22 WHEREAS, no prior extension of time has been requested by the Parties;

23 THEREFORE, the Parties hereby stipulate and request the Court to continue the Case  
24 Management Conference, currently schedule for June 4, 2014, to a date at least three (3) weeks  
25 after the Court rules on Plaintiff’s Motion to Remand.

26 The Parties further stipulate and propose to continue the related deadlines as follows:  
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- The Parties shall engage in the Initial Rule 26(f) Conference seven (7) days after the Court issues its order on Plaintiff’s Motion to Remand;
- The Parties shall file a Joint Case Management Statement pursuant to Local Rule 16-9 fourteen (14) days after the Court issues its order on Plaintiff’s Motion to Remand;
- The Parties shall exchange initial disclosures fourteen (14) days after the Court issues its order on Plaintiff’s Motion to Remand;

**IT IS SO STIPULATED.**

DATED: May 19, 2014

SEYFARTH SHAW LLP

By: /s/ Casey J.T. McCoy  
Jon D. Meer  
Sheryl L. Skibbe  
Casey J.T. McCoy  
Attorneys for Defendant  
NIKE RETAIL SERVICES, INC.

DATED: May 19, 2014

BLUMENTHAL, NORDREHAUG & BHOWMIK

By: /s/ Aparajit Bhowmik  
Norman B. Blumenthal  
Kyle R. Nordrehaug  
Aparajit Bhowmik  
Attorneys for Plaintiff  
PAYAL PATEL

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**~~PROPOSED~~ ORDER**

Good cause appearing and pursuant to the Parties' above stipulation, the Court GRANTS the parties' request to continue the current Case Management Conference and related deadlines for the Parties to conduct their initial Rule 26(f) conference, exchange initial disclosures, and to file a Joint Case Management Statement pursuant to Local Rule 16-9, as follows:

- The Parties shall engage in the Initial Rule 26(f) Conference seven (7) days after the Court issues its order on Plaintiff's Motion to Remand;
- The Parties shall file a Joint Case Management Statement pursuant to Local Rule 16-9 fourteen (14) days after the Court issues its order on Plaintiff's Motion to Remand;
- The Parties shall exchange initial disclosures fourteen (14) days after the Court issues its order on Plaintiff's Motion to Remand;
- The Case Management Conference is continued to a date at least three (3) weeks after the Court rules on Plaintiff's Motion to Remand.

If the Court denies the motion to remand, the parties shall, within three days of that order, jointly move the court to set a specific case management conference date and related deadlines

**IT IS SO ORDERED.**

Dated: May 20, 2014

