Jones v. Centerone Financial Services LLC

Doc 23

| 1 | Pursuant to the following stipulation, the parties have agreed to, and request that | | |
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| 2 | the Court grant, a continuance of the August 1, 2014 Initial Case Management Conference | | |
| 3 | ("CMC") in this action to September 5, 2014 at 2:30 p.m. , and that all related deadlines be | | |
| 4 | continued accordingly. | | |
| 5 | <u>STIPULATION</u> | | |
| 6 | Pursuant to Civil Local Rules 6-2 and 7-12, defendant CenterOne Financial | | |
| 7 | Services, LLC ("CenterOne") and plaintiff Mark R. Jones ("Jones") stipulate and request as | | |
| 8 | follows: | | |
| 9 | WHEREAS, on April 17, 2014, CenterOne filed a Motion to Dismiss (Docket No. | | |
| 10 | 7); | | |
| 11 | WHEREAS, on April 21, 2014, following reassignment of this action to the | | |
| 12 | Honorable Susan Illston (Docket No. 9), this Court issued a Clerk's Notice re-setting the Initial | | |
| 13 | CMC for August 1, 2014 at 2:30 p.m. (Docket No. 11); | | |
| 14 | WHEREAS, the parties are currently scheduled to meet and confer by July 11, | | |
| 15 | 2014 pursuant to FRCP 26(f)(1), (d)(1); file a joint case management statement by July 25, 2014 | | |
| 16 | per Judge Illston's Standing Order (Docket No. 12); and serve initial disclosures by July 25, 2014 | | |
| 17 | pursuant to FRCP 26(a)(1)(C); | | |
| 18 | WHEREAS, on May 9, 2014, plaintiff filed a motion to remand, setting the hearing | | |
| 19 | for June 27, 2014 at 9:00 a.m. (Docket No. 15) and this Court issued a Clerk's Notice on May 14, | | |
| 20 | 2014 continuing the hearing on CenterOne's Motion to Dismiss to June 27, 2014 at 9:00 a.m. | | |
| 21 | (Docket No. 16); | | |
| 22 | WHEREAS, on June 18, 2014, this Court issued a Clerk's Notice continuing the | | |
| 23 | Motion to Dismiss hearing to August 1, 2014 at 9:00 a.m. (Docket No. 21); | | |
| 24 | WHEREAS, pursuant to Civil L.R. 6-2(a)(1), the parties have conferred and agree | | |
| 25 | that continuing the CMC and related deadlines until after this Court has ruled on on CenterOne's | | |
| 26 | Motion to Dismiss and Plaintiff's Motion to Remand would be in the parties' best interests and in | | |
| 27 | the interest of judicial economy; | | |
| 28 | | | |

| 1 | WHEREAS, with respect to Civil L.R. 6-2(a)(2), the previous time modifications | | |
|----|--|--|--|
| 2 | this action include: a) the re-setting of the Initial CMC by the Clerk from July 30, 2014 to August | | |
| 3 | 1, 2014 (Docket Nos. 4 and 11); b) the Clerk's Notice of May 14, 2014 continuing the hearing for | | |
| 4 | CenterOne's Motion to Dimiss to June 27, 2014 at 9:00 a.m. (Docket No. 16); and c) the Clerk's | | |
| 5 | Notice of June 18, 2014 continuing the hearing on CenterOne's Motion to Dimiss to August 1, | | |
| 6 | 2014 at 9:00 a.m. (Docket No. 21); | | |
| 7 | WHEREAS, with respect to Civil L.R. 6-2(a)(3), a five-week continuance of the | | |
| 8 | Initial CMC and related deadlines hearings will not, at this early stage, have a significant effect or | | |
| 9 | the overall schedule for this case, and merely re-establishes the timing that existed when the | | |
| 10 | Motion to Dismiss and Motion to Remand were both set for June 27, 2014; | | |
| 11 | NOW, THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED that the | | |
| 12 | Court continue the current August 1, 2014 Initial CMC (Docket No. 11) to September 5, 2014 at | | |
| 13 | 2:30 p.m. and adjust all related deadlines accordingly. | | |
| 14 | E-FILING ATTESTATION | | |
| 15 | By her signature below, counsel for CenterOne attests that counsel for all parties | | |
| 16 | whose electronic signatures appear below have concurred in the filing of this Stipulation. | | |
| 17 | | | |
| 18 | Dated: June 25, 2014 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP | | |
| 19 | Lili | | |
| 20 | By: <u>/s/ ANNA S. McLEAN</u> ANNA S. McLEAN | | |
| 21 | LIÊN H. PAYNE | | |
| 22 | Four Embarcadero Center, 17 th Floor San Francisco, CA 94111-4106 | | |
| 23 | Telephone: 415-434-9100 Facsimile: 415-434-3947 | | |
| 24 | amclean@sheppardmullin.com lpayne@sheppardmullin.com | | |
| 25 | Attorneys for Defendant | | |
| 26 | CENTERONE FINANCIAL SERVICES, LLC | | |
| 27 | | | |
| 28 | | | |

| 1 | Dated: June 25, 2014 | KEMNITZER, BARRON & KRIEG, LLP |
|----------|-------------------------|---|
| 2 | | By: /s/ BRYAN KEMNITZER BRYAN KEMNITZER Telephone: 415-632-1900 |
| 4 | | Facsimile: 415-632-1901 |
| 5 | | Attorneys for Plaintiff MARK R. JONES |
| 6 | | |
| 7 | | |
| 8 | | <u>ORDER</u> |
| 9 | | |
| 10 | PURSUANT TO STIPULATION | ON, 11 IS SO OKDEKED. |
| 11 12 | 6/26/14 Dated: | Juran Delaton |
| 13 | Dated. | The Honorable Susan Illston |
| 14 | | United States District Court Judge |
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