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7 Attorneys for Defendant  
 8 CENTERONE FINANCIAL SERVICES, LLC

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11  
 12 MARK R. JONES, individually and on behalf  
 of all others similarly situated,

13  
 14 Plaintiff,

15 v.

16  
 17 CENTERONE FINANCIAL SERVICES,  
 LLC, a corporation; and DOES 1-50,  
 18 inclusive,

19 Defendant.

Case No. 3:14-cv-01673 SI

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING INITIAL CASE  
 MANAGEMENT CONFERENCE AND  
 RELATED DEADLINES**

**[Civil Local Rules 6-2 and 7-12]**

[Complaint filed: March 3, 2014]

1 Pursuant to the following stipulation, the parties have agreed to, and request that  
2 the Court grant, a continuance of the December 12, 2014 Initial Case Management Conference  
3 ("CMC") in this action to **January 16, 2015 at 2:30 p.m.**, and that all related deadlines be  
4 continued accordingly.

5 **STIPULATION**

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 June 26, 2014, the Court entered the parties' Stipulation and Order  
10 Continuing Case Management and Related Deadlines, which continued the CMC until five weeks  
11 after the hearing on CenterOne's initial Motion to Dismiss (Docket No. 23);

12 WHEREAS, on July 31, 2014, the Court issued its Order Denying Plaintiff's  
13 Motion to Remand and Granting Defendant's Motion to Dismiss the Complaint With Leave to  
14 Amend (Docket No. 25);

15 WHEREAS, on August 12, 2014, the Court entered a Stipulation With Proposed  
16 Order to Continue Initial Case Management Conference and Related Deadlines, which continued  
17 the initial case management conference to December 12, 2014 (Docket No. 28);

18 WHEREAS, on August 15, 2014, Jones filed an Amended Complaint for Unfair  
19 Business Practices against CenterOne (Docket No. 29);

20 WHEREAS, on August 29, 2014, CenterOne filed a Motion to Dismiss Plaintiff's  
21 Amended Complaint (Docket No. 30), which is now set for hearing on December 12, 2014 per the  
22 Clerk's Notice Continuing Motion Hearing filed November 24, 2014 (Docket No. 41);

23 WHEREAS, the current CMC date of December 12, 2014 would require the parties  
24 to begin the Rule 26 meet-and-confer process immediately and file a joint CMC statement by  
25 December 5, 2014;

26 WHEREAS, the case schedule originally contemplated a five week period between  
27 defendant's Motion to Dismiss and the initial CMC;

28

1           WHEREAS, pursuant to Civil L.R. 6-2(a)(1), the parties have conferred and agree  
2 that continuing the CMC and related deadlines until after this Court has ruled on on CenterOne's  
3 Motion to Dismiss would be in the parties' best interests and in the interest of judicial economy;

4           WHEREAS, with respect to Civil L.R. 6-2(a)(2), the previous time modifications in  
5 this action include: a) the re-setting of the Initial CMC by the Clerk from July 30, 2014 to August  
6 1, 2014 (Docket Nos. 4 and 11); b) the Clerk's Notice of May 14, 2014 continuing the hearing for  
7 CenterOne's Motion to Dimiss to June 27, 2014 at 9:00 a.m. (Docket No. 16); c) the Clerk's  
8 Notice of June 18, 2014 continuing the hearing on CenterOne's Motion to Dimiss to August 1,  
9 2014 at 9:00 a.m. (Docket No. 21), d) the Court's Stipulation and Order Continuing Case  
10 Management and Related Deadlines, continuing the initial CMC to September 5, 2014 (Docket  
11 No. 23); e) the Court's Stipulation and Order to Continue Initial Case Management Conference  
12 and Related Deadlines, continuing the initial CMC to December 12, 2014 (Docket No. 27); f) the  
13 Clerk's Notice of October 29, 2014, continuing the hearing on Defendant's Motion to Dismiss  
14 Plaintiff's First Amended Complaint to November 13, 2014 (Docket No. 38); g) the Court's  
15 Stipulation and Order Continuing Hearing on CenterOne's Motion to Dismiss First Amended  
16 Complaint, continuing the hearing on Defendant's Motion to Dismiss Plaintiff's First Amended  
17 Complaint to December 5, 2014 (Docket No. 23); and h) the Clerk's Notice Continuing Motion  
18 Hearing filed November 24, 2014, continuing the hearing on Defendant's Motion to Dismiss  
19 Plaintiff's First Amended Complaint to December 12, 2014 (Docket No. 41);

20           WHEREAS, with respect to Civil L.R. 6-2(a)(3), a continuance of the initial CMC  
21 and related deadlines until five weeks after the anticipated December 12, 2014 hearing on  
22 defendant's renewed motion to dismiss will not, at this early stage, have a significant effect on the  
23 overall schedule for this case, and merely re-establishes the timing that existed when defendant's  
24 motion to dismiss was set for June 27, 2014 and the initial CMC was set for August 1, 2014;

25           NOW, THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED that the  
26 Court continue the current December 12, 2014 Initial CMC to **January 16, 2015 at 2:30 p.m..** and  
27 continue all related deadlines accordingly.

1 **E-FILING ATTESTATION**

2 By her signature below, counsel for CenterOne attests that counsel for all parties  
3 whose electronic signatures appear below have concurred in the filing of this Stipulation.  
4

5 Dated: December 5, 2014

SHEPPARD, MULLIN, RICHTER & HAMPTON  
LLP

6  
7 By: /s/ ANNA S. McLEAN

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12 Attorneys for Defendant

13 CENTERONE FINANCIAL SERVICES, LLC

14 Dated: December 5, 2014

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15 By: /s/ BRYAN KEMNITZER

16 BRYAN KEMNITZER

17 Telephone: 415-632-1900

18 Facsimile: 415-632-1901

19 Attorneys for Plaintiff

MARK R. JONES

20 **ORDER**

21  
22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 

24 Dated: 12/10/14

25 The Honorable Susan Illston

26 United States District Court Judge