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 18

19 [ADDITIONAL COUNSEL LISTED AFTER SIGNATURE PAGE]
 20

21 UNITED STATES DISTRICT COURT
 22 NORTHERN DISTRICT OF CALIFORNIA
 23

24 TONY M. GRAHAM, on behalf of
 himself, and all others similarly
 25 situated,

26 Plaintiff,

27 v.

28 VCA ANTECH, INC., and

Case No. 3:14-cv-02158-MEJ

**STIPULATION AND ~~(PROPOSED)~~
 ORDER EXTENDING TIME TO
 CONDUCT INITIAL PLANNING
 MEETING, FILE RULE 26(f)
 REPORT AND CONTINUING THE
 CASE MANAGEMENT**

Second Amended: CORRECTS DATE CMC STATEMENT DUE

STIPULATION AND ~~(PROPOSED)~~ ORDER EXTENDING TIME TO CONDUCT INITIAL PLANNING MEETING,
 FILE RULE 26(f) REPORT AND CONTINUING THE CASE MANAGEMENT CONFERENCE

1 VCA ANIMAL HOSPITALS, INC.

CONFERENCE

2 Defendants.

Judge: Hon. Maria-Elena James
Ctm: B (15th Floor)

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STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO CONDUCT INITIAL PLANNING MEETING,
FILE RULE 26(f) REPORT AND CONTINUING THE CASE MANAGEMENT CONFERENCE

1 **STIPULATION**

2 This Stipulation is entered into by plaintiff Tony M. Graham ("Plaintiff") and
3 defendants VCA Antech, Inc. (now known as VCA, Inc.) and VCA Animal Hospitals,
4 Inc. ("Defendants") (collectively, "the parties"), by and through their respective counsel
5 of record and pursuant to Northern District of California Local Rule 6-1(a), with
6 reference to the following:

7 1. WHEREAS, Plaintiff filed this action on May 12, 2014.

8 2. WHEREAS, Defendants intend to file a motion to transfer venue pursuant to
9 28 U.S.C. § 1404 ("venue motion").

10 3. WHEREAS, the parties have met and conferred concerning the subject matter
11 of this Stipulation.

12 4. WHEREAS, on June 19, 2014, Defendants waived service of the summons and
13 complaint pursuant to the parties' agreement to work together on a mutually agreeable
14 briefing schedule for Defendants' forthcoming venue motion and an extension of the
15 deadline for Defendants to file an answer or otherwise respond to Plaintiff's complaint.

16 5. WHEREAS, on July 10, 2014, the parties filed a Stipulation regarding the
17 requested briefing schedule on Defendants' motion to transfer venue. Pursuant to the
18 terms of the parties' Stipulation, the deadline for Defendants to file their venue motion
19 shall be August 18, 2014; the deadline for Plaintiff to file his opposition to the venue
20 motion shall be September 15, 2014; and the deadline for Defendants to file their reply
21 in support of their venue motion shall be September 29, 2014.

22 6. WHEREAS, the Court issued an Order Setting Initial Case Management
23 Conference and ADR Deadlines, which set these dates:

24 July 24, 2014: Last day for counsel to meet and confer re Rule 26 issues
25 and ADR process selection and to file ADR documents;

26 August 7, 2014: Last day to file Rule 26(f) Report and Case Management
27 Statement and to complete initial disclosures; and

28 August 14, 2014: Initial Case Management Conference.

1 7. WHEREAS, the parties agree that the interests of justice and judicial economy
2 support the resolution of Defendants' forthcoming venue motion prior to conducting the
3 Case Management Conference.

4 **NOW, THEREFORE**, the parties hereby stipulate and agree as follows:

5 1. The deadline for the parties to conduct their initial Rule 26 meet-and-confer
6 and to file documents concerning ADR issues shall be continued from July 24, 2014,
7 until fourteen (14) days after the Court's ruling on Defendants' venue motion.

8 2. The parties will exchange initial disclosures during the pendency of
9 Defendants' venue motion, and the deadline to exchange initial disclosures shall be
10 continued from August 7, 2014, to September 2, 2014.

11 3. The deadline for the parties to file their Rule 26(f) report and Case
12 Management Statement shall be continued from August 7, 2014, until twenty-one (21)
13 days after the Court's ruling on Defendants' venue motion.

14 4. The Case Management Conference should be continued from August 14, 2014,
15 to a date convenient to the Court, but no sooner than twenty-eight (28) days after the
16 Court's ruling on Defendants' venue motion.

17
18 **IT IS SO STIPULATED.**

19 Dated: July 22, 2014

**AKIN GUMP STRAUSS HAUER &
FELD LLP**

20
21
22 By: /s/ John A. Karaczynski _____
23 John A. Karaczynski
24 Attorneys for Defendants, VCA ANTECH,
25 INC. (now known as VCA, INC.) and VCA
26 ANIMAL HOSPITALS, INC.
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**McCALLUM, METHVIN & TERRELL,
P.C.**

By: /s/ James M. Terrell
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Attorneys for Plaintiff, TONY M.
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Attorneys for Plaintiff TONY M. GRAHAM

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 4, 2014



The Honorable Maria-Elena James
United States Magistrate Judge

The Initial Case Management Conference is continued from August 14, 2014 to October 30, 2014 at 10:00 a.m., in Courtroom B, 15th floor. A joint Case Management Statement is due October 23, 2014 and shall be electronically filed.

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