

1 NATALIE A. PIERCE, Bar No. 191342  
npierce@littler.com  
2 KAI-CHING CHA, Bar No. 218738  
kcha@littler.com  
3 ROXANNA IRAN, Bar No. 273625  
riran@littler.com  
4 LITTLER MENDELSON, P.C.  
650 California Street, 20th Floor  
5 San Francisco, California 94108.2693  
Telephone: 415.433.1940  
6 Facsimile: 415.399.8490

7 Attorneys for Defendant  
BAYSIDE SOLUTIONS, INC.

8 ERIC M. EPSTEIN, Bar No. 64055  
emepstein@aol.com  
9 ERIC M. EPSTEIN, APC  
10 1901 Avenue of the Stars, #1100  
Los Angeles, California 90067-6002  
11 Telephone: 310.552.5366  
Facsimile: 310.556.8021

12 Attorneys for Plaintiffs  
13 JAMES WARREN ASH, TIMOTHY E. HARRIS,  
DAVID TROY STREVA, TIMOTHY D. BUTLER

14 *[Counsel Of Record Continued On Following Page]*

15  
16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION  
19

20 JAMES WARREN ASH, TIMOTHY E.  
HARRIS, DAVID TROY STREVA, AND  
21 TIMOTHY D. BUTLER, on behalf of  
themselves, the general public, and all others  
22 similarly situated,

23 Plaintiffs,

24 v.

25 BAYSIDE SOLUTIONS, INC., a California  
corporation, and DOES 1 through 100,  
26 inclusive,

27 Defendants.  
28

Case No. 3:14-cv-02183-WHO

**JOINT STIPULATION AND ORDER  
CONTINUING CASE MANAGEMENT  
CONFERENCE AND STAYING  
LAWSUIT PENDING COMPLETION OF  
MEDIATION**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Mark R. Thierman, SBN 72913  
Joshua D. Buck, SBN 258324  
Thierman Law Firm  
7287 Lakeside Drive  
Reno, NV 89511  
775/284-1500

Attorneys for Plaintiffs  
JAMES WARREN ASH, TIMOTHY E. HARRIS,  
DAVID TROY STREVA, AND TIMOTHY D.  
BUTLER

1 WHEREAS, Plaintiffs JAMES WARREN ASH, TIMOTHY E. HARRIS, DAVID  
2 TROY STREVA, and TIMOTHY D. BUTLER (collectively, "Plaintiffs") filed a Complaint for  
3 Damages, Penalties, and Restitution ("Complaint") against Defendant BAYSIDE SOLUTIONS,  
4 INC. ("Bayside") in Alameda Superior Court on April 8, 2014;

5 WHEREAS, Bayside was served with the Summons and Complaint on April 11,  
6 2014;

7 WHEREAS, Bayside removed this lawsuit to the United States District Court,  
8 Northern District of California on May 12, 2014;

9 WHEREAS, in the interest of efficiency and economy, the Parties agree that there is  
10 merit in pursuing an early mediation of all issues between the parties;

11 WHEREAS, a case management conference is scheduled for August 12, 2014;

12 WHEREAS, the parties have agreed to voluntarily mediate this lawsuit and have  
13 already secured a commitment with respected mediator Michael J. Loeb, Esq. to conduct mediation  
14 on October 17, 2014;

15 WHEREAS, in order to have effective discussions and mediate this case, the parties  
16 have agreed to an informal exchange of discovery regarding Plaintiffs' claims and Defendant's  
17 defenses;

18 WHEREAS, the parties want to engage in the mediation process without the litigation  
19 burdens associated with formal discovery and motion practice and have further agreed to seek a stay  
20 of the lawsuit in its entirety in an effort to conserve the resources of both the Court and the parties  
21 pending the completion of mediation;

22 WHEREAS, the parties have agreed that the aforementioned stay shall encompass the  
23 parties' August 12, 2014 Case Management Conference and the joint case management statement;

24 WHEREAS, the parties have agreed that the action shall be stayed until November  
25 17, 2014;

26 WHEREAS, the parties agree to continue the case management conference, currently  
27 scheduled for August 12, 2014, to November 18, 2014 and file an updated joint status report with the  
28 Court on or before November 3, 2014, advising the Court of the status of the mediation;




1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Based upon the joint stipulation of all parties in the above-captioned case, and good cause appearing, it is hereby ordered that the case be stayed, in its entirety until November 17, 2014. The parties' August 12, 2014 Case Management Conference shall be continued to November 18, 2014 following the completion of mediation. The parties will submit a updated joint status report to the Court by November 3, 2014 advising the Court of the status of the mediation.

**IT IS SO ORDERED.**

Dated: August 1, 2014

  
\_\_\_\_\_  
HONORABLE WILLIAM H. ORRICK  
United States District Judge

Firmwide:127980342.3 080273.1002