1 Kathryn A. Stebner, State Bar No. 121088 Guy B. Wallace, State Bar No. 176151 Sarah Colby, State Bar No. 194475 Mark T. Johnson, State Bar No. 76904 2 George Kawamoto, State Bar No. 280358 SCHNEIDER WALLACE STEBNER AND ASSOCIATES COTTRELL KONECKY LLP 3 870 Market Street, Suite 1212 180 Montgomery Street, Suite 2000 San Francisco, CA 94102 4 San Francisco, CA 94102 Tel: (415) 362-9800 Tel: (415) 421-7100 Fax: (415) 362-9801 5 Fax: (415) 421-7105 6 Michael D. Thamer, State Bar No. 101440 W. Timothy Needham, State Bar No. 96542 LAW OFFICES OF MICHAEL D. THAMER JANSSEN MALLOY LLP Old Callahan School House 730 Fifth Street 12444 South Highway 3 Eureka, CA 95501 8 Post Office Box 1568 Tel: (707) 445-2071 Callahan, California 96014-1568 (707) 445-8305 Fax: 9 Tel: (530) 467-5307 Fax: (530) 467-5437 10 Robert S. Arns, State Bar No. 65071 Christopher J. Healey, State Bar No. 105798 11 THE ARNS LAW FIRM McKENNA LONG & ALDRIDGE, LLP 515 Folsom Street, 3rd Floor 600 West Broadway, Suite 2600 12 San Diego, CA 92101-3372 San Francisco, CA 94105 Telephone No.: 619.235.3491 Tel: (415) 495-7800 13 Facsimile No.: 619.645.5328 Fax: (415) 495-7888 14 Attorneys for Plaintiff and the proposed Class 15 16 UNITED STATES DISTRICT COURT 17 NORTHERN DISTRICT OF CALIFORNIA 18 19 Thomas Carnes, by and through his Guardian ad Litem, CASE NO. 3:14-cv-02727-VC Juliana Christine Clegg, on his own behalf and on behalf 20 of others similarly situated, STIPULATION AND PROPOSED | ORDER TO 21 Plaintiff, **RESET THE CASE** MANAGEMENT 22 VS. **CONFERENCE** 23 Atria Senior Living, Inc. and Does 1 Through 100, Judge: Hon. Vince Chhabria 24 Defendants. 25 CMC: December 16, 2014, 10:00 a.m. 26 27 STIPULATION AND [PROPOSED] ORDER TO RESET THE CASE MANAGEMENT CONFERENCE Carnes v. Atria Senior Living, Inc., Case No. 3:14-cv-02727-VC

Carnes v. Atria Senior Living, Inc.

Doc. 49

1	<u>STIPULATION</u>
2	The Parties hereby provide notice of their stipulation to reset the Case Management
3	Conference, currently scheduled for December 16, 2014, at 10:00 a.m.
4	WHEREAS, the Initial Case Management Conference in this case was initially set for
5	September 10, 2014, with Magistrate Judge Donna M. Ryu;
6	WHEREAS, this case was reassigned to the Honorable Vince Chhabria on July 29, 2014,
7	and the Initial Case Management Conference was reset sua sponte to September 30, 2014;
8	WHEREAS, on September 11, 2014, Defendants filed a motion to dismiss Plaintiff's First
9	Amended Complaint;
10	WHEREAS, on September 11, 2014, this Court reset the Case Management Conference
11	sua sponte to November 25, 2014;
12	WHEREAS, on November 6, 2014, this Court granted Defendants' motion to dismiss
13	Plaintiff's First Amended Complaint with leave to amend;
۱4	WHEREAS, on November 7, 2014, this Court reset the Case Management Conference sua
15	sponte to December 16, 2014;
16	WHEREAS, on November 12, 2014, this Court granted the Parties' stipulated request to
ا 17	extend the deadline for Plaintiff to file his Second Amended Complaint to December 11, 2014;
18	WHEREAS, under the Standing Order for Civil Cases Before Judge Vince Chhabria, a
19	request to continue a case management conference must be made no later than seven days prior to
20	the scheduled appearance,
21	WHEREAS, the Parties, upon meeting and conferring, have agreed to reset the Case
22	Management Conference currently set for December 16, 2014, to January 20, 2015, in light of the
23	fact that Plaintiff will file his Second Amended Complaint on or before December 11, 2014;
24	NOW THEREFORE, the Parties, by and through their counsel of record and subject to
25	Court approval, hereby stipulate that:
26	1. The Case Management Conference set for December 16, 2014, at 10:00 a.m.,
27	should be reset to January 20, 2015, or a later date pursuant to the Court's availability; and
$_{28}$	1

1	2. The parties shall file a Joint Case Management Statement on or before January 13,
2	2015.
3	IT IS SO STIPULATED.
4	DATED: December 4, 2014
5	STEBNER AND ASSOCIATES
6	
7	/s/ Kathryn Stebner Kathryn A. Stebner
8	Attorneys for Plaintiff and the proposed Class
9	DATED: December 4, 2014
10	LEWIS BRISBOIS BISGAARD & SMITH LLP
11	/s/ Reuben Jacobson
12	Reuben Jacobson
13	Attorneys for Defendant
14	<u>DECLARATION OF CONSENT</u>
	I, Kathryn A. Stebner, hereby declare, pursuant to the Northern District of California Civil
15	Local Rule 5-1(i)(3), that I have obtained concurrence in the filing of this document from Reuben
16	Jacobson. I declare under penalty of perjury that the foregoing is true and correct.
17	Executed on December 4, 2014, in the City of San Francisco, California.
18	
19	/s/ Kathryn Stebner
20	Kathryn A. Stebner
21	IDD OD OCEDI OD DED
22	[PROPOSED] ORDER
23	PURSUANT TO THE STIPULATION, IT IS SO ORDERED.
24	December 5, 2044
25	Dated: December 5, 2014 Honorable Vince Chhabria
26	United States District Judge
27	
28	2