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10 Attorneys for Defendant, ATRIA SENIOR
 LIVING, INC.

11
 12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**
 15

16 THOMAS CARNES, by and through
 his Guardian ad Litem, Juliana
 17 Christine Clegg, on his own behalf and
 on behalf of others similarly situated,

18 Plaintiff,

19 vs.

20 ATRIA SENIOR LIVING, INC., and
 21 DOES 1 through 100,

22 Defendants.
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CASE NO. 3:14-cv-02727-VC

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE

AS MODIFIED

Old Date: January 20, 2015
 Proposed
 New Date: February 19, 2015
 Time: 10:00 a.m.
 Place: Courtroom 4-17th Floor

Judge: Hon. Vince Chhabria
 Trial Date: None Set

26 Pursuant to Local Rule 6-1(a), the parties hereby provide notice of their
 27 stipulation to continue the Case Management Conference currently set for January
 28 20, 2015.

1 **WHEREAS**, Plaintiff filed his Class Action Complaint in this matter on June
2 12, 2014;

3 **WHEREAS**, Plaintiff filed his First Amended Class Action Complaint in this
4 matter on August 7, 2014;

5 **WHEREAS**, Defendant timely filed its Motion to Dismiss Plaintiff’s First
6 Amended Class Action Complaint in this matter on September 11, 2014;

7 **WHEREAS**, a hearing was held on Defendant’s Motion to Dismiss
8 Plaintiff’s First Amended Class Action Complaint on November 6, 2014. The Court
9 granted Defendant’s Motion to Dismiss, giving Plaintiff leave to amend;

10 **WHEREAS**, on November 10, 2014, the parties stipulated to continue the
11 deadline for Plaintiff to file his Second Amended Complaint (“SAC”) and the
12 deadline for Defendant to respond to the SAC. On November 12, 2014, the Court
13 granted the parties’ stipulation, giving Plaintiff until December 11, 2014 to file his
14 SAC, and giving Defendant until January 15, 2015 to file its response to the SAC;

15 **WHEREAS**, on December 5, 2014, the Court granted the parties stipulation
16 to reset the Case Management Conference to January 20, 2015;

17 **WHEREAS**, on December 11, 2014, Plaintiff filed his SAC;

18 **WHEREAS**, Defendant anticipates filing a Motion to Dismiss the SAC, set
19 to be heard on February 19, 2015;

20 **WHEREAS**, given the pending Motion practice on the pleadings, the Parties,
21 upon meeting and conferring, have agreed that pleadings issues should be resolved
22 prior to the Case Management Conference. Accordingly, the Parties have agreed
23 that good cause exists to continue the Case Management Conference from January
24 20, 2015 to and including February 19, 2015 at 10:00 a.m. The Parties have further
25 agreed that good cause exists to continue to the deadline to submit a Joint Case
26 Management Conference Report to February 12, 2015.

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NOW THEREFORE, THE PARTIES STIPULATE THAT:

- 1. The Case Management Conference previously set for January 20, 2015 shall be continued to February 19, 2015 at 10:00 a.m.
- 2. The Parties shall file a Joint Case Management Conference Report on or before February 12, 2015.

IT IS SO STIPULATED.

DATED: January 6, 2015 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

By: /s/ Katherine Den Bleyker
 Jeffrey S. Ranen
 Reuben B. Jacobson
 Katherine Den Bleyker
 Attorneys for Defendant, ATRIA SENIOR LIVING, INC.

DATED: January 6, 2015 **STEBNER & ASSOCIATES**

By: /s/ Kathryn A. Stebner
 Kathryn A. Stebner
 Attorneys for Plaintiffs and the proposed Class, THOMAS CARNES

DECLARATION OF CONSENT

I, Katherine Den Bleyker, hereby declare, pursuant to the Northern District of California Civil Local Rule 5-1(i)(3), that I have obtained concurrence in the filing of this document from Kathryn Stebner. I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 6, 2015, in the City of Los Angeles, California.

 /s/ Katherine Den Bleyker
 Katherine Den Bleyker

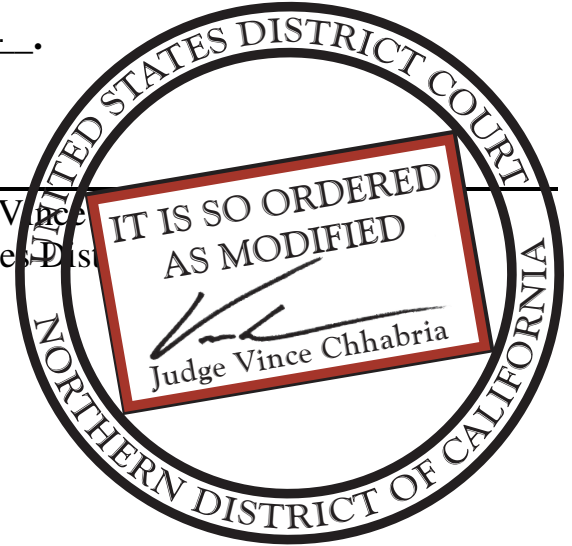
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~~PROPOSED~~ ORDER AS MODIFIED

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED. THE CASE MANAGEMENT CONFERENCE STATEMENT SHALL BE DUE ON March 3, 2015. THE CASE MANAGEMENT CONFERENCE SHALL BE HELD ON March 10, 2015 AT 10:00 a.m..

DATED: January 8, 2015

Honorable Vince
United States Dis



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FEDERAL COURT PROOF OF SERVICE

CARNES v. ATRIA SENIOR LIVING - File No. 27185.95

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to the action. My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, CA 90012. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On January 6, 2015, I served the following document(s): **STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

<p>Kathryn A. Stebner, Esq. Kathryn@stebnerassociates.com Sarah Colby, Esq. Sarah@stebnerassociates.com George Kawamoto, Esq. George@stebnerassociates.com STEBNER & ASSOCIATES 870 Market Street, Suite 1212 San Francisco, CA 94102 <i>Attorney for Plaintiff and the proposed Class</i></p>	<p>Michael D. Thamer, Esq. mthamer@trinityinstitute.com LAW OFFICES OF MICHAEL D. THAMER Old Callahan School House 12444 South Highway 3 Post Office Box 1568 Callahan, CA 96014-1568 <i>Attorney for Plaintiff and the proposed Class</i></p>
<p>W. Timothy Needham, Esq. tneedham@janssenlaw.com JANSSEN MALLOY LLP 730 Fifth Street Eureka, CA 95501 <i>Attorney for Plaintiff and the proposed Class</i></p>	<p>Robert S. Arns, Esq. rsa@arnslaw.com THE ARNS LAW FIRM 515 Folsom Street, 3rd Floor San Francisco, CA 94105 <i>Attorney for Plaintiff and the proposed Class</i></p>
<p>Guy B. Wallace, Esq. gwallace@schneiderwallace.com Mark T. Johnson Esq. mjohnson@schneiderwallace.com SCHNEIDER, WALLACE, COTTRELL & KONECKY LLP 180 Montgomery Street, Suite 2000 San Francisco, CA 94102 <i>Attorney for Plaintiff and the proposed Class</i></p>	<p>Christopher J. Healey, Esq. chealey@mckennalong.com Aaron T. Winn, Esq. awinn@mckennalong.com McKENNA LONG & ALDRIDGE, LLP 600 West Broadway, Suite 2600 San Diego, CA 92101-3372 <i>Attorney for Plaintiff and the proposed Class</i></p>

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The documents were served by the following means:

(BY COURT’S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the persons listed above.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on January 6, 2015, at Los Angeles, California.

 /s/ Melinda Timms
Melinda Timms