

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

LAW OFFICES OF
WALKUP, MELODIA, KELLY & SCHOENBERGER
A PROFESSIONAL CORPORATION
650 CALIFORNIA STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94108-2615
(415) 981-7210

MICHAEL A. KELLY (State Bar #71460)
mkelly@walkuplawoffice.com
DORIS CHENG (State Bar #197731)
dcheng@walkuplawoffice.com
JUSTIN CHOU (State Bar #279137)
jchou@walkuplawoffice.com
ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JENNIFER K. LOVETT,

Plaintiff,

v.

OMNI HOTELS MANAGEMENT
CORPORATION, and DOES ONE through
ONE HUNDRED,

Defendants.

Case No. C 14-02844 RS

**STIPULATION AND ~~PROPOSED~~ ORDER
TO RESET THE HEARING DATE AND
PLAINTIFF'S TIME TO RESPOND TO
DEFENDANT OMNI'S MOTION FOR
SUMMARY JUDGMENT**

Pursuant to Civil Local Rule 6-2, plaintiff Jennifer K. Lovett ("Plaintiff") and defendant Omni Hotels Management Corporation ("Defendant") stipulate as follows:

WHEREAS, Defendant Omni filed its Motion for Summary Judgment on July 2, 2015 with a requested hearing date of September 10 [Dkt. no. 59]. On July 10, the Court granted Plaintiff's Motion to Continue and set the hearing date to October 15 [Dkt. no. 68]. The Court continued, *sua sponte*, the hearing date, on July 17 to October 22 [Dkt. no. 71] and on September 2 to November 5 [Dkt. no. 86]. On October 5, the court granted the parties' Stipulated Motion to Specially Set or, in the Alternative, to Continue the Hearing Date and rescheduled the hearing to December 17 [Dkt. no. 102];

1 WHEREAS, on October 8, 2015, the Court granted Plaintiff's Motion for Leave to Amend
2 the First Amended Complaint; denied, without prejudice, Defendant's Motion for Summary
3 Judgment; and permitted Defendant to refile its Motion for Summary Judgment addressing
4 Plaintiff's new claims in time for a hearing on December 17 [Dkt. no. 103];

5 WHEREAS, Defendant filed its Motion for Summary Judgment on November 12 with a
6 hearing date of December 17 [Dkt. no.108];

7 WHEREAS, Plaintiff's opposition to Defendant's Motion for Summary Judgment is due
8 on November 27, 2015;

9 WHEREAS, Plaintiff's counsel is commencing trial in another matter, *Yuan v. City and*
10 *County of San Francisco*, San Francisco Superior Court Case No. CGC-13-536533 before
11 Honorable Angela Bradstreet, and pre-trial motions shall be argued on November 19, 2015 and
12 jury selection to commence on November 23 or 24, 2015;

13 WHEREAS, Plaintiff's counsel anticipates being in trial until shortly before Christmas;

14 WHEREAS, the parties have now met and conferred on mutually convenient dates for the
15 hearing and Plaintiff's last date to oppose Defendant Omni's Motion for Summary Judgment;

16 IT IS THEREFORE STIPULATED as follows:

17 1. Defendant Omni's Motion for Summary Judgment shall be heard on January 21,
18 2016;

19 2. Plaintiff shall file her Opposition to the Motion for Summary Judgment no later
20 than January 7, 2016.

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

DATED: November 17, 2015

WALKUP, MELODIA, KELLY, & SCHOENBERGER

By: /s/ Doris Cheng
Doris Cheng
Attorney for Plaintiff JENNIFER LOVETT

DATED: November 17, 2015

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Thomas A. Rector
Thomas A. Rector
Attorneys for Defendant OMNI HOTELS
MANAGEMENT CORPORATION

IT IS SO ORDERED.

DATED: 11/18/15



RICHARD SEEBORG
United States District Judge