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 2 **A PROFESSIONAL LAW CORPORATION**
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5 Attorney for Plaintiffs
 DAREN HEATHERLY
 6 and IRMA RAMIREZ

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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11 DAREN HEATHERLY; and IRMA
 RAMIREZ,)

CASE NO. 3:14-cv-03368-VC

12

Plaintiffs,)

STIPULATION and ~~PROPOSED~~
 ORDER TO CONTINUE STATUS
 CONFERENCE

13

v.)

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15 BSR EATS, INC., dba EATS; and YIU-
 WUN CHAN and LAI-PING CHAN,)
 16 Trustees of the CHAN FAMILY TRUST,)
 U.D.T. ("Under Declaration of Trust"),)
 17 dated September 22, 2007,)

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Defendants.)

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Plaintiffs DAREN HEATHERLY and IRMA RAMIREZ, and defendants BSR EATS,

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INC., dba EATS; and YIU-WUN CHAN and LAI-PING CHAN, Trustees of the CHAN

24

FAMILY TRUST, U.D.T. ("Under Declaration of Trust"), dated September 22, 2007, by and

25

through their respective attorney of record, hereby stipulate to continue the Status Conference set

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for February 3, 2015, at 10:00 a.m.

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STIPULATION and [PROPOSED] ORDER TO CONTINUE STATUS CONFERENCE
 CASE NO. 3:14-cv-03368-VC

1 1. **Whereas**, all defendants have been served with the summons and complaint, and
2 defendants have answered the complaint; and

3 2. **Whereas**, the parties conducted the General Order 56 Joint Site Inspection on
4 November 19, 2014, at the Eats Restaurant, located at 50 Clement Street, San Francisco,
5 California; and

6 3. **Whereas**, on December 8, 2014, plaintiffs submitted their global demand to
7 defendants. The parties have been actively engaging in settlement negotiations and are
8 attempting to resolve the matter without having to participate in a mediation in order to reduce
9 fees and costs. If settlement negotiations are unsuccessful, the parties will proceed with the
10 mediation; and

11 4. **Whereas**, the parties believe it would be in the interests of efficiency and
12 economy to continue the Status Conference to sometime after a mediation has been completed;
13 and

14 5. **Whereas**, plaintiffs' counsel also has a mediation scheduled on February 3,
15 2015, in an unrelated case (*Daren Heatherly, et al. v. Le Petit Marchet, et al.* - Case No. CV-13-
16 4498-JSC);

17 6. **Therefore**, the parties respectfully request that the Case Management Conference
18 currently scheduled for February 3, 2015, at 10:00 a.m. be continued up to and including ninety
19 (90) days, and/or to a date that is convenient to the Court.

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21 **IT IS SO STIPULATED.**

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1 This stipulation may be executed in counterparts and have the same force and effect as
2 though all signatures are on the same and/or consecutive pages. Photocopies and facsimile shall
3 have the same force and effect as originals.

4
5 Respectfully submitted,

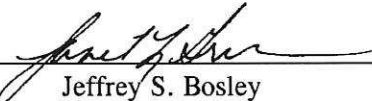
6
7 Dated: January 26, 2015

8 **THOMAS E. FRANKOVICH,**
9 ***A PROFESSIONAL LAW CORPORATION***

10 By: /s/Thomas E. Frankovich
11 Thomas E. Frankovich
12 Attorney for Plaintiffs DAREN HEATHERLY
13 IRMA RAMIREZ

14 Dated: 1/26, 2015

15 DAVIS WRIGHT TREMAINE LLP

16 By: 
17 Jeffrey S. Bosley
18 Janet L. Grumer
19 Attorneys for Defendant BSR EATS, INC., dba
20 EATS

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25 ///
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28 ///

1 Dated: Jun. 26, 2015

RYUTARO HIROTA,
LAW OFFICES OF RYUTARO HIROTA

2
3
4 By: Ryutaro Hirota

5 Ryutaro Hirota, Esq.

6 Attorney for Defendants YIU-WUN CHAN and
7 LAI-PING CHAN, Trustees of the CHAN FAMILY
8 TRUST, U.D.T. ("Under Declaration of Trust"),
dated September 22, 2007

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10 ~~PROPOSED~~ ORDER

11 **IT IS SO ORDERED** that the Status Conference set for Tuesday, February 3,
12 2015, is vacated and/or continued to May 7, 2015, at 10:00 a.m./~~p.m.~~ The
13 parties shall file a Joint Status Report by no later than seven (7) days prior to the Conference.

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16 Dated: January 28, 2015



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Honorable Vince Chhabria
California United States District Judge