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11 Attorneys for Defendant  
 12 FEDEX GROUND PACKAGE SYSTEM, INC.

13 UNITED STATES DISTRICT COURT  
 14 CALIFORNIA NORTHERN DISTRICT  
 15 SAN JOSE DIVISION

16 MENDES, et al.,  
 17 Plaintiffs,  
 18 v.  
 19 FEDEX GROUND PACKAGE SYSTEM,  
 20 INC.,  
 21 Defendant.

Case No. 4:14-cv-03826-SI

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

Complaint Filed: August 22, 2014  
 Judge: Hon. Susan Illston

22 Pursuant to Local Rules 16-2(e) and 7-12, Plaintiffs Costaneira Transport, Inc., KR  
 23 Express, Inc., Hiram Mendes, and Kim Raney (collectively, "Plaintiffs") and Defendant FedEx  
 24 Ground Package System, Inc. ("Defendant"), by and through their respective attorneys of record  
 25 have met and conferred and agreed to the following stipulation:

- 26 (1) Plaintiffs filed their First Amended Complaint in this action on November 19,  
 27 2014.
- 28 (2) Defendant filed its Motion to Dismiss Plaintiffs' First Amended Complaint  
 pursuant to Federal Rule of Civil Procedure ("FRCP") 12(b)(6) on December 2, 2014. The  
 hearing on Defendant's Motion to Dismiss is scheduled for January 16, 2015 at 9:00 a.m.
- (3) The Initial Case Management Conference in this matter is currently scheduled for

1 January 16, 2015 at 2:30 p.m.

2 (4) Because Defendant's pending Motion to Dismiss may impact some or all of the  
3 claims asserted in the First Amended Complaint, in the interest of efficiency the parties jointly  
4 request that the initial Case Management Conference (and associated deadlines for initial  
5 disclosures and preparation of a Joint Case Management Conference Statement) be continued to a  
6 date after the Court's ruling on Defendant's Motion to Dismiss, as determined by the Court.

7 **IT IS SO STIPULATED.**

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9 Dated: December 8, 2014

SCHIFF HARDIN LLP

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By: /s/ William J. Carroll

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WILLIAM J. CARROLL  
LINDSEY N. BERG  
Attorneys for Defendant  
FEDEX GROUND PACKAGE SYSTEM,  
INC.

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15 Dated: December 8, 2014

THE JAFFE LAW FIRM

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By: /s/ Stephen R. Jaffe

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STEPHEN R. JAFFE  
BAILEY K. BIFOSS  
Attorneys for Plaintiffs  
COSTANEIRA TRANSPORT, INC., KR  
EXPRESS, INC., HIRAM MENDES, and  
KIM RANEY

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**CERTIFICATION OF COMPLIANCE WITH N.D. L.R. 5.1(i)(3)**

I hereby certify that pursuant to N.D. Cal. L.R. 5.1(i)(3), I have obtained authorization from the above signatories to file the above-referenced document, and that the above signatories concur in the filing's content.

I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: December 8, 2014


SCHIFF HARDIN LLP

By: /s/ William J. Carroll  
WILLIAM J. CARROLL  
Attorneys for Defendant  
FEDEX GROUND PACKAGE SYSTEM,  
INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

- (1) The Case Management Conference is continued to 2/13/15, 2015, commencing at 2:30 p.m. in Courtroom 10, 19th Floor in San Francisco; and
- (2) A Joint Case Management Statement will be filed 7 days prior to the Conference.

Dated: 12/10/14

  
HON. SUSAN ILLSTON

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