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Attorney for Plaintiffs  
 IRMA RAMIREZ and  
 DAREN HEATHERLY

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

	)	<b>CASE NO. CV14-04012-SI</b>
DAREN HEATHERLY; and IRMA	)	
RAMIREZ,	)	STIPULATION and [PROPOSED]
Plaintiffs,	)	ORDER TO CONTINUE CASE
	)	MANAGEMENT CONFERENCE
v.	)	
	)	
GREAT CHINA; JOSEPH MURPHY	)	
CORP., a California Corporation; and	)	
CHEN CHENG KUNG and KIM KUNG,	)	
dba GREAT CHINA,	)	
	)	
Defendants.	)	

Plaintiffs DAREN HEATHERLY and IRMA RAMIREZ, and defendants JOSEPH MURPHY CORP., a California Corporation; and CHEN CHENG KUNG and KIM KUNG, dba GREAT CHINA, by and through their respective attorney of record stipulate to continue the Case Management Conference set for February 6, 2015, at 2:30 p.m.

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

2. **Whereas**, the parties conducted the General Order 56 Joint Site Inspection on December 11, 2014, at the Great China Restaurant, located at 1589 Farmers Lane, Santa Rosa, California; and

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STIPULATION and [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE  
 CASE NO. CV14-04012-SI

3. **Whereas**, plaintiffs are in the process of submitting their global demand to defendants, and defendants will have up to and including ten (10) calendar days from the date of the demand letter to respond; and

4. **Whereas**, the parties are hopeful they will be able to negotiate a settlement. If settlement negotiations are unsuccessful, plaintiffs will file a notice of need for mediation by no later than January 30, 2015; and

5. **Whereas**, the parties believe it would be in the interests of efficiency and economy to continue the Case Management Conference to sometime after the mediation has been completed;

6. **Therefore**, the parties respectfully request that the Case Management Conference currently scheduled for February 6, 2015, at 2:30 p.m. be continued up to and including ninety (90) days, and/or to a date that is convenient to the Court.

**IT IS SO STIPULATED.**

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

Respectfully submitted,

Dated: January 22, 2015

THOMAS E. FRANKOVICH,  
*A PROFESSIONAL LAW CORPORATION*

By:       /s/Thomas E. Frankovich        
           Thomas E. Frankovich  
 Attorney for Plaintiffs IRMA RAMIREZ; and  
 DAREN HEATHERLY

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1 Dated: 1/21, 2015

CLEMENT, FITZPATRICK &  
KENWORTHY PC


2  
3 By: 

4 Peter C. De Golia  
5 Attorney for Defendants JOSEPH MURPHY  
6 CORP., a California Corporation; and CHEN  
7 CHENG KUNG and KIM KUNG, dba GREAT  
8 CHINA

**[PROPOSED] ORDER**

9 **IT IS SO ORDERED** that the Case Management Conference set for Friday, February 6,  
10 2015, is vacated and/or continued to May 12, 2015, at 2:30 a.m./ p.m.  
11 The parties shall file a Joint Case Management Statement no later than seven (7) days prior to the  
12 Conference.

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14  
15 Dated: 1/23, 2015

  
Honorable Susan Illston  
California United States District Judge