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6 Attorneys for Defendant  
 JOHN MUIR HEALTH  
 7 (erroneously sued herein as “John Muir Medical Center”)

8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**

12 MARLENE PEREZ, an individual, and ROSA  
 CERISANO, an individual,

14 Plaintiff,

15 vs.

17 JOHN MUIR HEALTH, a California  
 corporation, JOHN MUIR MEDICAL  
 18 CENTER, an unknown business entity, and  
 DOES 1-20, et al

20 Defendants.

) CASE NO. 15-01792 HSG  
 )  
 ) **DEFENDANT’S MOTION FOR**  
 ) **ADMINISTRATIVE RELIEF TO FILE**  
 ) **EXCESS PAGES FOR GOOD CAUSE**

) Trial Date: July 18, 2016  
 )  
 ) Hon. Judge Haywood S. Gilliam, Jr.  
 )  
 ) Complaint Filed: April 21, 2015

22 TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS  
 23 OF RECORD:

24 PLEASE TAKE NOTICE that, pursuant to Local Rule 7-11, Defendant John Muir Health  
 25 (“Defendant”), through its attorneys of record, hereby moves for Administrative Relief, after  
 26 having attempted to secure a stipulation from Plaintiffs Marlene Perez and Rosa Cerisano  
 27 (hereinafter collectively referred to as “Plaintiffs”). Defendant respectfully requests leave to file  
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1 a single consolidated memorandum of law in support of its motion for summary judgment, or in  
2 the alternative motion for summary adjudication, that exceeds the 25 page limit by five pages  
3 based on the good cause set forth below:

4 Defendant's deadline to file a dispositive motion is Thursday, March 31, 2016. Dkt. #51.

5 Northern District Local Rule 7-4(b) expressly limits briefs to 25 pages in length. Under  
6 Local Rule 7-11, however, a party may move for miscellaneous administrative relief, including a  
7 motion "to exceed otherwise applicable page limitations."

8 This case involves two plaintiffs, who assert the following six causes of action:

9 retaliation, wrongful constructive discharge, and discrimination in violation of Title VII, the  
10 ADA, California's Fair Employment and Housing Act ("FEHA"), and California common law.  
11 Dkt. No. 60. Plaintiffs contend that Defendant unlawfully retaliated against them because  
12 Plaintiffs testified in a sexual harassment action brought by Plaintiffs' former co-worker, Ms.  
13 Charlotte Reed, against a JMH supervisor, Mr. Charles Griffin. *Id.* ¶ 1. Plaintiffs worked for  
14 Defendant in two different departments, and premised their claims on various alleged adverse  
15 employment actions, including but not limited to, a "heavy" workload of difficult assignments,  
16 poor performance reviews over a three year period, unwarranted disciplinary actions, ignored  
17 complaints, and constructive discharge. Dkt. No. 60. Plaintiffs claim that they endured unlawful  
18 treatment from at least two different supervisors (Andrea Lovejoy and Shanda Dellner) and  
19 Defendant's management team (Sara Monahan and Michelle Lopes). *Id.*

20 Although Defendant endeavors to keep its consolidated memorandum of law in support  
21 of its motion for summary judgment, or in the alternative motion for summary adjudication,  
22 concise and to the point, Defendant requires five additional pages to adequately provide detailed  
23 factual background necessary to for the court's analysis. See Declaration of Hieu Tran in  
24 Support of Defendant's Motion for Administrative Relief ["Tran Decl.,"] at ¶8.

25 On March 22, 2016, Defendant's counsel contacted Plaintiffs' counsel (via telephone and  
26 email) proposing that the parties stipulate to a joint request for Defendant to exceed the 25 page  
27 limit on a motion for summary judgment. See Exhibit A to Tran Decl. at ¶4. Defendant's  
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1 proposal included a joint request for Plaintiffs to exceed the 25 page limit in opposition to  
2 Defendant's motion for summary judgment. *Id.* Defendant prepared a proposed joint stipulation  
3 and included it in the email. *Id.* Plaintiffs did not respond. Tran Decl. at ¶5.

4 On March 24, 2016, Defendant's counsel sent a follow up meet and confer email to  
5 Plaintiffs' counsel inquiring as to whether Plaintiffs would stipulate to a joint request to exceed  
6 25 page limit. See Exhibit A to Tran Decl. at ¶6. Plaintiffs' counsel did not respond to  
7 Defendant's request for stipulation and instead requested to meet and confer over a discovery  
8 dispute the next day, Friday, March 25, 2016. *Id.*

9 To date, Defendant has not received a response from Plaintiff regarding its request for  
10 stipulation. Tran Decl. at ¶7.

11 Accordingly, Defendant respectfully requests an order permitting it to file a consolidated  
12 brief in support of its motion for summary judgment, or in the alternative motion for summary  
13 adjudication, in excess of 5 pages, thus changing the maximum length of the brief from 25 pages  
14 to 30 pages (exclusive of exhibits, attachments, declarations, table of contents, table of  
15 authorities, and proof of service).

16 Dated: March 27, 2016

GORDON & REES LLP

17  
18 By:                   /S/ Hieu Tran                  

MICHAEL D. BRUNO

HIEU TRAN

Attorneys for Defendant


JOHN MUIR HEALTH

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20  
21 **CORRECTED ORDER**

22 Having considered the Defendant's Motion for Administrative Relief to file a a  
23 consolidated brief in support of its motion for summary judgment, or in the alternative motion  
24 for summary adjudication, in excess of pages is **DENIED**.

25 IT IS SO ORDERED.

26 Dated: 3/29/2016

27   
HAYWOOD S. GILLIAM, JR.  
United States District Judge