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 10 JR.

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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

18 GAIL PAYNE, individually and on behalf
 of all others similarly situated,

19 Plaintiff,

20 v.

21 OFFICE OF THE COMMISSIONER OF
 22 BASEBALL (d/b/a MAJOR LEAGUE
 BASEBALL); and ROBERT D.
 23 MANFRED, JR.,

24 Defendants.

Case No. 3:15-cv-03229-SC

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER FOR ADMINISTRATIVE
 RELIEF FROM INITIAL CASE
 MANAGEMENT SCHEDULE**

Judge: Hon. Samuel Conti

Date Filed: July 13, 2015

1 Plaintiff Gail Payne and Defendants Office of the Commissioner of Baseball (d/b/a/ Major
2 League Baseball) and Robert. D. Manfred, Jr., by and through their undersigned counsel, stipulate
3 and agree as follows:

4 WHEREAS, on October 2, 2015, the Defendants will move to dismiss Plaintiff's
5 Complaint because Defendants assert that Plaintiff lacks standing and has failed to state a claim
6 for relief;

7 WHEREAS, Plaintiff's opposition brief will be due October 16, 2015, Defendants' reply
8 brief will be due October 23, 2015, and the first possible date when the Court could hear
9 argument on the motion to dismiss will be in November 2015;

10 WHEREAS, under N.D. Cal. L.R. 16-2(a), the Initial Case Management Conference was
11 scheduled—by default—for October 23, 2015;

12 WHEREAS, the parties believe that it would be needlessly inefficient to hold an Initial
13 Case Management Conference before the Court has an opportunity to consider the motion to
14 dismiss;

15 WHEREAS, the parties believe that the most efficient case management schedule is to
16 hold an Initial Case Management Conference 30 days after the Court issues a final determination
17 on any motion to dismiss (and that all related deadlines be reset based on that Case Management
18 Conference date);

19 IT IS THEREFORE HEREBY STIPULATED that:

- 20 1. The Initial Case Management Conference currently scheduled for October 23, 2015
21 (Dkt. 31) and all related deadlines shall be continued;
- 22 2. The Court shall re-schedule the Initial Case Management Conference upon final
23 determination of any motion to dismiss.

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SO STIPULATED AND AGREED

Dated: September 24, 2015

KEKER & VAN NEST LLP

By: /s/ John W. Keker

JOHN W. KEKER
R. ADAM LAURIDSEN
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PHILIP J. TASSIN

Attorneys for Defendants
OFFICE OF THE COMMISSIONER OF
BASEBALL (d/b/a MAJOR LEAGUE
BASEBALL); and ROBERT D.
MANFRED, JR.

Dated: September 24, 2015

HAGENS BERMAN SOBOL SHAPIRO
LLP

By: /s/ Steve W. Berman

STEVE W. BERMAN
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JEFF D. FRIEDMAN
JON T. KING

Attorneys for Plaintiff
GAIL PAYNE

Dated: September 24, 2015

HILLIARD MUÑOZ GONZALES L.L.P.

By: /s/ Robert Hilliard

ROBERT HILLIARD
MARION M. REILLY

Attorneys for Plaintiff
GAIL PAYNE

PURSUANT TO STIPULATION, IT IS SO ORDERED: The case management conference is continued to Friday, 01/08/2016, at 10:00 AM.

Dated: _____ 09/24 _____, 2015



Hon. Samuel Conti
United States Senior District Court Judge