

1 BRYAN SCHWARTZ (SBN 209903)
 2 LOGAN TALBOT (SBN 300591)
 3 Bryan Schwartz Law
 4 1330 Broadway, Suite 1630
 5 Oakland, CA 94612
 6 Telephone: 510-444-9301
 7 Email: bryan@bryanschwarzlaw.com
 8 Attorneys for Plaintiff Teresa Caponio

9 JASON R. MCCLITIS
 10 Blake & Uhlig, P.A.
 11 753 State Ave., Ste. 475
 12 Kansas City, KS 66101
 13 Tel: 913-321-8884
 14 Fax: 913-321-2396
 15 jrm@blake-uhlig.com
 16 Admitted Pro Hac Vice
 17 Attorneys for Defendants Boilermakers Western States Joint Apprenticeship Program
 18 and International Brotherhood of Boilermakers
 19 Additional counsel listed on following page

20 **IN THE UNITED STATES DISTRICT COURT**
 21 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

22 **TERESA CAPONIO,**

23 **Plaintiff,**

24 **vs.**

25 **BOILERMAKERS LODGE 549;**
 26 **BOILERMAKERS WESTERN STATES**
 27 **JOINT APPRENTICESHIP PROGRAM;**
 28 **and INTERNATIONAL**
 29 **BROTHERHOOD OF**
 30 **BOILERMAKERS,**

31 **Defendants.**

32 **Case Number: 16-cv-3919-VC**

33 **JOINT STIPULATION AND**
 34 **~~PROPOSED~~ ORDER CONTINUING**
 35 **DEADLINES FOR MOTION TO**
 36 **DISMISS BRIEFING**

37 Complaint Filed: July 12, 2016
 38 Amended Complaint Filed: October 5, 2016

39 **JOINT STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT**
 40 **CONFERENCE AND BRIEFING DEADLINES**
 41 Case No. 16-cv-3919

1 DAVID ROSENFELD
2 CONCHITA LOZANO-BATISTA
3 ANNE I. YEN
4 WEINBERG, ROGER & ROSENFELD
5 A Professional Corporation
6 1001 Marina Village Parkway, Suite 200
7 Alameda, California 94501
8 Telephone (510) 337-1001
9 Fax (510) 337-1023
10 drosenfeld@unioncounsel.net
11 clozano@unioncounsel.net
12 ayen@unioncounsel.net
13
14 Attorneys for Defendants Boilermakers Local 549
15 And co-counsel for Boilermakers Western States Joint Apprenticeship Program and
16 International Brotherhood of Boilermakers
17
18
19
20
21
22
23
24
25
26
27

28 JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES
Case No. 16-cv-3919

1 Pursuant to United States District Court, Northern District of California Local Rule 6-2,
2 the following Stipulation is entered into by Plaintiff TERESA CAPONIO (“Plaintiff”) and
3 Defendants BOILERMAKERS LODGE 549, BOILERMAKERS WESTERN STATES
4 JOINT APPRENTICESHIP PROGRAM and INTERNATIONAL BROTHERHOOD OF
5 BOILERMAKERS (“Defendants”) (collectively, the “Parties”) by and through their counsel of
6 record:

7 WHEREAS, Defendants have filed Motions to Dismiss with prejudice;

8 WHEREAS, the Motions to Dismiss were noticed to be heard on November 10, 2016;

9 WHEREAS, the Court set the Case Management Conference on November 22, 2016;

10 WHEREAS, on October 5, 2016, Plaintiff filed her Amended Complaint;

11 WHEREAS, based upon professional courtesy, and suffering no prejudice, Plaintiff and
12 Defendants have agreed to the following deadlines for briefing for to-be-filed renewed motions
13 to dismiss to the Amended Complaint: Defendants’ Renewed Motions to Dismiss to be filed by
14 November 8, 2016; Plaintiff’s Opposition by December 6, 2016; Defendants’ Reply in Support
15 by December 20, 2016; and

16 WHEREAS Defendants are canceling the hearing on the currently pending Motions to
17 Dismiss, scheduled for November 10, 2016 and will notice the Renewed Motions to Dismiss to
18 be heard on January 26, 2017;

19 IT IS HEREBY STIPULATED AS FOLLOWS:

20 The Parties respectfully request the Court cancel the November 10, 2016 hearing date on
21 the currently pending Motions to Dismiss, ~~and continue the Case Management Conference~~
22 ~~currently set for November 22, 2016 to January 26, 2017, to coincide with the anticipated motion~~
23 ~~hearing; or if that date is improper for a case management conference, on the earliest available~~
24 ~~date thereafter, January 31, 2017.~~

25 The Parties further respectfully request that the Court permit the following deadlines for
26 briefing for to-be-filed renewed motions to dismiss to the Amended Complaint: Defendants’
27

28 **JOINT STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES**

Case No. 16-cv-3919

1 Renewed Motions to Dismiss to be filed by November 8, 2016; Plaintiff's Opposition by
2 December 6, 2016; Defendants' Reply in Support by December 20, 2016.

3
4 Dated: October ____, 2016

Respectfully Submitted,

5 /s/ Jason R. McClitis

6 JASON R. MCCLITIS
7 Blake & Uhlig, P.A.
8 753 State Ave., Ste. 475
9 Kansas City, KS 66101
10 Tel: 913-321-8884
11 Fax: 913-321-2396
12 jrm@blake-uhlig.com
13 Admitted Pro Hac Vice

14 /s/ Anne I. Yen

15 DAVID ROSENFELD
16 CONCHITA LOZANO-BATISTA
17 ANNE I. YEN
18 WEINBERG, ROGER & ROSENFELD
19 A Professional Corporation
20 1001 Marina Village Parkway, Suite 200
21 Alameda, California 94501
22 Telephone (510) 337-1001
23 Fax (510) 337-1023
24 drosenfeld@unioncounsel.net
25 clozano@unioncounsel.net
26 ayen@unioncounsel.net

27 /s/ Bryan Schwartz


28 BRYAN SCHWARTZ
LOGAN TALBOT
Bryan Schwartz Law
1330 Broadway
Suite 1630
Oakland, CA 94612
Telephone: 510-444-9301
Email: bryan@bryanschwartzlaw.com

Attorneys for Plaintiff Teresa Caponio

1 ~~PROPOSED~~ ORDER

2 PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.
3

4
5 Dated: October 19, 2016

6 
7 _____
8 HON. VINCE CHHABRIA
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

28 JOINT STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES
Case No. 16-cv-3919