

1 SEDGWICK LLP  
 ROBERT D. EASSA, State Bar No. 107970  
 2 *robert.eassa@sedgwicklaw.com*  
 MICHAEL L. FOX, State Bar No. 173355  
 3 *michael.fox@sedgwicklaw.com*  
 MARC A. KOONIN, State Bar No. 166210  
 4 *marc.koonin@sedgwicklaw.com*  
 TARA K. CLANCY, State Bar No. 253321  
 5 *tara.clancy@sedgwicklaw.com*  
 333 Bush Street, 30th Floor  
 6 San Francisco, CA 94104-2834  
 Telephone: 415.781.7900  
 7 Facsimile: 415.781.2635

8 Attorneys for Respondent  
 JIFFY LUBE INTERNATIONAL, INC.

9  
 LAW OFFICES OF VINCENT M. SPOHN, A.P.C.  
 10 VINCENT M. SPOHN, State Bar No. 92334  
*vms@vspohnlaw.com*  
 11 1005 Jefferson Street  
 P.O. Box 5748  
 12 Napa, CA 94581-0748  
 Telephone: 707.255.1885  
 13 Facsimile: 707.255.0974

14 Attorneys for Petitioners  
 RANDY STEVENS and ELISSA STEVENS

16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**

19 RANDY STEVENS and ELISSA STEVENS,

20 Petitioners,

21 v.

22 JIFFY LUBE INTERNATIONAL, INC., A  
 23 CORPORATION,

24 Respondent.

Case No. 16-cv-7175-EMC

**STIPULATION TO CONTINUE (1)  
 HEARING ON PETITIONERS' MOTION  
 FOR VACATUR OF ARBITRATION  
 AWARD AND (2) INITIAL CASE  
 MANAGEMENT CONFERENCE;**

**DECLARATION OF MICHAEL L. FOX**

Hearing Date/Time: 2/23/2017 at 1:30 p.m.  
 Courtroom 5, 17<sup>th</sup> Floor

*Assigned for All Purposes to the  
 Honorable Edward M. Chen*

1 WHEREAS, on January 31, 2017—after reassignment of the above-referenced matter to  
2 the Honorable Edward M. Chen—the Court *sua sponte* set a hearing on Petitioners’ Motion for  
3 Vacatur of Arbitration Award (“Petitioners’ Motion”) for February 23, 2017 at 1:30 p.m. [Dkt #  
4 20], and set the Initial Case Management Conference for March 23, 2017 at 9:30 a.m. [Dkt# 19];

5 WHEREAS, due to pre-existing scheduling conflicts that cannot be moved, counsel for all  
6 parties met, conferred, and agreed to continue the hearing on Petitioners' Motion to Thursday,  
7 April 6, 2017 at 1:30 p.m., which is an available hearing date according to the Court's Scheduling  
8 Notes;

9 WHEREAS, due to pre-existing scheduling conflicts that cannot be moved, Petitioners'  
10 counsel will not be available for the Initial Case Management Conference on March 23, 2017 at  
11 9:30 a.m.; and

12 WHEREAS, given the nature of the relief requested by Petitioners and limited extent of  
13 any issues to be addressed at the Initial Case Management Conference, in the interest of efficiency  
14 and economy, the parties request that the Court hold the Initial Case Management Conference at  
15 the same date and time as the hearing on Petitioners' Motion;

16 IT IS HEREBY STIPULATED, by and through counsel for Petitioners Randy and Elissa  
17 Stevens and Respondent Jiffy Lube International, Inc., subject to the Court's availability and  
18 approval, that (1) the hearing on Petitioners' Motion be continued from February 23, 2017 at 1:30  
19 p.m. to April 6, 2017 at 1:30 p.m., and (2) the March 23, 2017 Initial Case Management  
20 Conference also be continued to Thursday, April 6, 2017, at 1:30 p.m.

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1 Dated: February 3, 2017

**SEDGWICK LLP**

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By: /s/ Michael L. Fox

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ROBERT D. EASSA

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MICHAEL L. FOX

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MARC A. KOONIN

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TARA K. CLANCY

Attorneys for Respondent

JIFFY LUBE INTERNATIONAL, INC.

8 Dated: February 3, 2017

**LAW OFFICES OF VINCENT M. SPOHN,  
A.P.C.**

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By: /s/ Vincent M. Spohn

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VINCENT M. SPOHN

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Attorneys for Petitioners

RANDY STEVES and ELISSA STEVENS

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**DECLARATION OF MICHAEL L. FOX**

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I, MICHAEL L. FOX, declare as follows:

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1. I am an attorney at law admitted to practice before the courts of the State of

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California and the United States District Court for the Northern District of California. I am a

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partner with the law firm of Sedgwick LLP, counsel of record for Respondent Jiffy Lube

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International, Inc. (“Respondent”) in the above-referenced matter. This Declaration is submitted

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in support of the Stipulation to Continue Hearing on Petitioners’ Motion for Vacatur of Arbitration

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Award. The facts set forth in this declaration are based on my personal knowledge, on matters of

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which I am informed as counsel, and on my review of the firms’ papers and records. If sworn as a

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witness, I could and would testify competently to these facts.

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2. On January 31, 2017, this Court *sua sponte* set a hearing on Petitioners’ Motion

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Motion for Vacatur of Arbitration Award (“Petitioners’ Motion”) for February 23, 2017 at 1:30

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p.m. Counsel for Respondent are not available on this date due to preexisting conflicts that cannot

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be moved, which will require that Robert Eassa and I both be out of state on that date.

1           3.       On February 2, 2017, I met and conferred with Petitioners' counsel, Vincent  
2 Spohn. Given Respondent counsel's unavailability on February 23, the next available Thursday  
3 when all counsel are available is April 6, 2017 (as Mr. Spohn advised me that he will be out of the  
4 country March 21, 2017 through March 31, 2017, including March 23, 2017, the date set by the  
5 Court for the Initial Case Management Conference). Accordingly, Mr. Spohn and I agreed to  
6 stipulate to continue the hearing on Petitioners' Motion to Thursday, April 6, 2017 at 1:30 p.m.,  
7 which hearing date is available according to the Court's Scheduling Notes. Mr. Spohn and I also  
8 agreed to request that, given the nature of the relief requested by Petitioners and limited extent of  
9 any issues to be addressed at the Initial Case Management Conference, the Court hold the Initial  
10 Case Management Conference on the same date and time as the hearing on Petitioners' Motion.

11           Pursuant to 28 U.S.C. section 1746, I declare under penalty of perjury that the foregoing is  
12 true and correct.

13           Executed this 3<sup>rd</sup> day of February, 2017 at San Francisco, California.

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*/s/ Michael L. Fox*  
MICHAEL L. FOX

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

RANDY STEVENS and ELISSA STEVENS,

Petitioners,

v.

JIFFY LUBE INTERNATIONAL, INC., A  
CORPORATION,

Respondent.

Case No. 16-cv-7175-EMC

**[Proposed] ORDER GRANTING  
REQUEST FOR CONTINUANCE ON  
(1) HEARING ON PETITIONERS’  
MOTION FOR VACATUR OF  
ARBITRATION AWARD AND  
(2) INITIAL CASE MANAGEMENT  
CONFERENCE**

Hearing Date/Time: 2/23/2017 at 1:30 p.m.  
Courtroom 5, 17<sup>th</sup> Floor

*Assigned for All Purposes to the  
Honorable Edward M. Chen*

Pursuant to the parties’ Stipulation to Continue (1) Hearing on Petitioners’ Motion for Vacatur of Arbitration Award (“Petitioners’ Motion”) and (2) Initial Case Management Conference, and the supporting declaration of Michael L. Fox; and good cause appearing, IT IS HEREBY ORDERED that the February 23, 2017 hearing on Petitioners’ Motion is continued to Thursday, April 6, 2017 at 1:30 p.m., and the March 23, 2017 Initial Case Management Conference is also continued to Thursday, April 6, 2017, at 1:30 p.m.

**IT IS SO ORDERED.**

DATED: 2/6/17

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THE HONORABLE ED

