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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

STEPHEN WHITEWAY, individually and on  
behalf of all others similarly situated,

Plaintiffs,

vs.

FEDEX KINKOS OFFICE AND PRINT  
SERVICES, INC. and DOES 1 through 25,  
inclusive,

Defendants.

Case No: C 05-2320 SBA

**ORDER VACATING PRETRIAL  
CONFERENCE AND TRIAL DATE  
AND SETTING FURTHER CASE  
MANAGEMENT CONFERENCE**

Trial in this case is scheduled to commence on March 1, 2010. However, the trial cannot commence on that date due to a criminal trial, which has priority over civil actions. Accordingly,

IT IS HEREBY ORDERED THAT:

1. The pretrial conference scheduled for February 23, 2010 and the trial date of March 1, 2010 are VACATED.

2. The parties shall appear for a telephonic Case Management Conference on **March 18, 2010 at 3:15 p.m.** to reschedule these dates. The parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order for All Judges of the Northern District of California and the Standing Order of this Court. Plaintiff shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time. In the event the parties stipulate to the jurisdiction of a Magistrate Judge of this Court (which may result in an earlier and/or more certain trial date) prior to the Case Management Conference,

1 such conference will automatically be vacated and the assigned Magistrate Judge will assume  
2 responsibility for scheduling this case for trial.

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IT IS SO ORDERED.

Dated: February 17, 2010

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge