

1 KATHERINE C. HUIBONHOA (SB# 207648)
 2 AMY C. HIRSH (SB# 246533)
 3 PAUL, HASTINGS, JANOFSKY & WALKER LLP
 4 55 Second Street
 5 Twenty-Fourth Floor
 6 San Francisco, CA 94105-3441
 7 Telephone: (415) 856-7000
 8 Facsimile: (415) 856-7100
 9 katherinehuibonhoa@paulhastings.com
 10 amyhirsh@paulhastings.com

11 Attorneys for Defendants
 12 UPS GROUND FREIGHT, INC., d/b/a UPS FREIGHT and UNITED PARCEL SERVICE,
 13 INC.

14 WILLIAM R. TAMAYO (SB# 084965) (CA)
 15 JONATHAN T. PECK (SB# 12303) (VA)
 16 CINDY O'HARA (SB# 114555) (CA)
 17 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
 18 San Francisco District Office
 19 350 The Embarcadero, Suite 500
 20 San Francisco, CA 94105
 21 Telephone: (415) 625-5653
 22 Facsimile: (415) 625-5657
 23 cindy.ohara@eeoc.gov

24 Attorneys for Plaintiff
 25 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

26 UNITED STATES DISTRICT COURT
 27 NORTHERN DISTRICT OF CALIFORNIA
 28 OAKLAND DIVISION

29 EQUAL EMPLOYMENT
 30 OPPORTUNITY COMMISSION,

31 Plaintiff,

32 vs.

33 UPS GROUND FREIGHT, INC., d/b/a
 34 UPS FREIGHT and UNITED PARCEL
 35 SERVICE, INC.,

36 Defendants.

Case No. C-07-4994 CW

**STIPULATION TO CONTINUE CASE
 MANAGEMENT DEADLINES;
 DECLARATION OF AMY C. HIRSH;
 ORDER AS MODIFIED**

1 WHEREAS the parties conducted mediation sessions on August 20, 2008 and
2 September 9, 2008 with Jacqueline Corley through the Court's ADR Program,

3 WHEREAS the parties have reached an agreement as to monetary settlement and
4 are finalizing the terms of a consent decree,

5 WHEREAS the parties are in the final stages of negotiating settlement of this
6 matter,

7 WHEREAS finalization of the parties' settlement has been delayed in part due to
8 the out of town location of the charging party,

9 WHEREAS the parties believe that it would be productive and meaningful to
10 continue to conserve resources and stay discovery until they finalize their settlement,

11 WHEREAS the parties believe final resolution of this matter is imminent and hope
12 to reach a resolution within the next 45 days, but if not, believe they will need additional time to
13 further evaluate the case and conduct discovery in light of delayed scheduling and taking
14 depositions due to witness illness and out-of-town location,

15 IT IS HEREBY STIPULATED by and between the parties hereto, through their
16 respective counsel, that the dates listed in the Minute Order and Case Management Order be
17 modified as follows:

18 //
19 //
20 //
21 //
22 //
23 //
24 //
25 //
26 //
27 //
28 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

8. Additionally, while the parties do not anticipate a breakdown in settlement negotiations, should one occur, both parties require additional time to conduct and complete discovery, and believe that it would be mutually beneficial and serve the interests of justice to have additional time to conduct and complete discovery and further evaluate the case. The parties further need additional time to conduct discovery because of witness illness and out-of-town location.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed this _____ day of February, 2009, at San Francisco, California.

AMY C. HIRSH

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

It is ordered that the case management dates in this matter be continued as follows:

	<u>Current Date</u>	<u>Proposed Date</u>
Deadline to Hear Case Dispositive Motions	April 9, 2009	June 4, 2009
Date of Next Case Management Conference	April 9, 2009	June 4, 2009
Completion of Fact Discovery	April 23, 2009	June 18, 2009
Disclosure of Identities and Reports of Expert Witnesses	May 7, 2009	July 2, 2009
Completion of Expert Discovery	June 18, 2009	August 13, 2009
Final Pretrial Conference	July 28, 2009	August 25, 2009
Jury Trial	August 24, 2009	October 26, 2009

IT IS SO ORDERED.

3/2/09

DATED: _____.



CLAUDIA WILKEN
Judge, United States District Court

LEGAL_US_W # 61102683.1