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7 Attorneys for Defendant Aaron Brothers, Inc.

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 JOSE TIJERO, et al.  
 12 Plaintiffs,  
 13 vs.  
 14 AARON BROTHERS, INC, et al.  
 15 Defendants.

Case No. 4:10-cv-01089-SBA

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE THE  
 INITIAL CASE MANAGEMENT  
 CONFERENCE**

Date of Removal: March 15, 2010

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1 **STIPULATION**

2 Pursuant to Local Rule 7-12, Plaintiffs Jose Tijero and Amanda Godfrey  
3 (collectively, "Plaintiffs") and Defendant Aaron Brothers, Inc. ("Defendant") enter  
4 this Stipulation to continue the initial Case Management Conference.

5 WHEREAS, Plaintiffs filed a Second Amended Complaint on December 1,  
6 2010;

7 WHEREAS, Defendant filed a motion to dismiss certain causes of action  
8 alleged in the Second Amended complaint on December 20, 2010, which was  
9 noticed for January 25, 2011.

10 WHEREAS, on its own motion, the Court continued the hearing date on  
11 Defendant's motion to dismiss to March 28, 2011;

12 WHEREAS, the initial case management conference is set for January 13,  
13 2011 at 3:15 p.m.

14 WHEREAS, Defendant has not answered the any complaint that has been  
15 filed in this action;

16 WHEREAS, the Parties have not yet engaged in any discovery; and

17 WHEREAS, the Parties wish to avoid the unnecessary expense of preparing  
18 for the initial case management conference while the Defendant's motion to dismiss  
19 is pending;

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1           Therefore, the Parties HEREBY AGREE TO AND STIPULATE, by and  
2 through their respective attorneys of record, subject to the Court's permission, that  
3 the initial Case Management Conference be continued from January 13, 2011 to  
4 April 28, 2011 at 3:15 p.m., or such other date thereafter as the Court may so desire.  
5 IT IS SO STIPULATED.

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7 Dated: January \_\_\_\_, 2011

BADAME & ASSOCIATES, APC

8  
9 By: \_\_\_\_\_

10 Kristopher P. Badame  
11 Attorneys for Plaintiffs Jose Tijero and  
12 Amanda Godfrey

13  
14 Dated: January \_\_\_\_, 2011

AKIN GUMP STRAUSS HAUER  
& FELD LLP

15  
16 By: \_\_\_\_\_

17 Scott J. Witlin  
18 Attorneys for Defendant Aaron Brothers,  
19 Inc.

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**[PROPOSED] ORDER**

The Court, having reviewed the Stipulation of the Parties, and good cause appearing for the relief requested by the Stipulation, HEREBY ORDERS THAT:

The initial Case Management Conference is continued from January 13, 2011 to **April 28, 2011 at 3:45 p.m.** 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 in the Northern District of California and the Standing Order of this Court. Plaintiffs 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.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 10, 2011

By: *Sandra B. Armstrong*  
Sandra B. Armstrong  
United States District Judge

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 2029 Century Park East, Suite 2400, Los Angeles, California 90067. On January 6, 2011, I served the foregoing document(s) described as: **STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE INITIAL CASE MANAGEMENT CONFERENCE** on the interested party(ies) below, using the following means:

**All parties identified for Notice of Electronic Filing generated by the Court's CM/ECF system under the referenced case caption and number**

BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 6, 2011 at Los Angeles, California.

Lorachristine Ramsey \_\_\_\_\_

Print Name

\_\_\_\_\_

Signature