

1 **AKIN GUMP STRAUSS HAUER & FELD LLP**
 CATHERINE A. CONWAY (SBN 98366)
 2 GARY M. MCLAUGHLIN (SBN 217832)
 AANAND MEHTANI (SBN 254556)
 3 cconway@akingump.com
 gmclaughlin@akingump.com
 4 amehtani@akingump.com
 2029 Century Park East, Suite 2400
 5 Los Angeles, California 90067-3012
 Telephone: 310-229-1000
 6 Facsimile: 310-229-1001

7 Attorneys for Defendant Aaron Brothers, Inc.

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JOSE TIJERO, et al.
 Plaintiffs,
 vs.
 AARON BROTHERS, INC, et al.
 Defendants.

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

**STIPULATION AND ORDER TO
 CONTINUE THE INITIAL CASE
 MANAGEMENT CONFERENCE**

Date of Removal: March 15, 2010

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 pursuant to Rule 12(b)(6) to dismiss
8 certain causes of action alleged in the Second Amended complaint on December 20,
9 2010;

10 WHEREAS, on its own motion, the Court continued the hearing date on
11 Defendant's motion to dismiss to March 29, 2011;

12 WHEREAS, on its own motion, the Court subsequently took the hearing date
13 on Defendant's motion to dismiss off calendar;

14 WHEREAS, on April 1, 2011, the Court issued an order (1) granting
15 Defendant's motion to dismiss with leave to amend, and (2) providing Plaintiffs
16 with 21 days to file a Third Amended Complaint;

17 WHEREAS, the initial Case Management Conference is currently set for
18 April 28, 2011 at 3:15 p.m.;

19 WHEREAS, Defendant has not yet answered any complaint that has been
20 filed in this action;

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

22 WHEREAS, the Parties believe it would be premature to hold the initial Case
23 Management Conference as scheduled, in light of the Court's order regarding
24 Defendant's motion to dismiss and Plaintiffs' anticipated filing of a Third Amended
25 Complaint, and wish to avoid the unnecessary expense of preparing for the initial
26 case management conference while the operative complaint has not yet been filed;

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28 ///

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 April 28, 2011 to May
4 23, 2011 at 3:15 p.m., or such other date thereafter as the Court may so desire.
5 IT IS SO STIPULATED.

6
7 Dated: April ____, 2011

BADAME & ASSOCIATES, APC

8
9 By: _____
10 Michele E. Pillette
11 Kristopher P. Badame
12 Attorneys for Plaintiffs Jose Tijero and
13 Amanda Godfrey

14 Dated: April ____, 2011

AKIN GUMP STRAUSS HAUER
& FELD LLP

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16 By: _____
17 Gary M. McLaughlin
18 Attorneys for Defendant Aaron Brothers,
19 Inc.

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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 **July 7, 2011 at 3:15 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: April 8, 2011

By: 
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 April 8, 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 April 8, 2011 at Los Angeles, California.

Carmen M. Ayala _____

Print Name

Signature