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7 UNITED STATES FEDERAL COURT
 8 NORTHERN DISTRICT OF CALIFORNIA
 9 OAKLAND DIVISION

11 Silvia Ramos,

12 Plaintiffs,

13 vs.

14 Zapaterias Gaby, Jose Luis Juarez and Gabriela
 15 Juarez, and DOES 1-10

16 Defendants

Case No.: C10 – 1730 LB

**PLAINTIFF’S MOTION TO CONTINUE
 THE INITIAL CASE MANAGEMENT
 CONFERENCE; and**

~~PROPOSED~~ ORDER

Initial CMC Date and Time

Date: 8/5/2010

Time: 1:30 PM

Place: Courtroom 4, Oakland, CA

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 21 Plaintiff, Silvia Ramos, hereby submits the following request to continue the initial case
 22 management conference, currently set for the above date and time, for 30 days for the following
 23 reasons:

- 24
 25 1. This is an action on behalf of Silvia Ramos, employed on Hourly basis by Defendants,
 Zapaterias Gaby, Jose Luis Juarez and Gabriela Juarez, and DOES 1-10 for some time

1 during the last four years prior to the filing of this Complaint, seeking damages arising
2 from their employer's failure to pay overtime as required by the Fair Labor Standards Act
3 and the California Wage Orders and statutes. Plaintiffs seek compensatory damages for
4 unpaid wages under California Labor Code and Wage Orders, liquidated damages under
5 29 U.S.C. §216(b), damages for missed meal/rest period premiums, waiting time
6 penalties under California Labor Code § 203, damages for inadequate pay statements
7 under California Labor Code Section 226, and attorney's fees, costs, pre judgment interest
8 pursuant to California Labor Code § 1194(a) and 29 U.S.C. § 216(b), and restitution
9 under California Unfair Trade Practices Act under California Business and Professions
10 Code § 17203.

- 11 2. Sometime after the filing and service of her complaint, Plaintiff was contacted by counsel
12 for Defendants with a request for an extension of time to file a responsive pleading. Such
13 an extension was granted.
- 14 3. Parties then conferred again, about two weeks ago. At that time, counsel for Defendants
15 made clear Defendants' intent to settle the matter without the need for any further
16 litigation.
- 17 4. Parties also agreed that, should they not be able to settle the matter on their own, they
18 would be amenable to then setting case management deadlines and stipulating to
19 participation the court's mediation program.
- 20 5. Therefore, in order to allow the parties the opportunity to attempt to resolve the matter on
21 their own, without the necessity of court action, the Plaintiff respectfully requests that the
22 Court continue the initial CMC for 30 days, to the date and time stated in the following
23 proposed order.

24 Dated: July 30, 2010

By: /s/Adam Pedersen
Adam Pedersen
Law Office of Adam Wang
Attorneys for Plaintiff

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[PROPOSED] ORDER

Pursuant to Plaintiff's motion, the Court hereby continues to the initial case management conference for a period of 30 days from the current date of 8/5/2010 at 1:30 PM to 9/9/2010 at 1:30 PM.

DATED: August 2, 2010

SIGNED: 

HON. LAUREL BEELER
CAND Magistrate Judge