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 9 JAMES P. VICE

10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO/OAKLAND DIVISION

13 JAMES P. VICE, an individual,
 14 Plaintiff,

15 vs.

16 WOODLINE USA, INC.,
 17 a Tennessee Corporation,
 18 Defendant.

No. 4:10-cv-04103-CW

JOINT STIPULATION TO EXTEND CASE-
 DISPOSITIVE MOTION HEARING DATE
 AND FURTHER CASE MANAGEMENT
 CONFERENCE AND RELATED DATES;
 [~~PROPOSED~~] ORDER

19 Pursuant to Civil L.R. 6.2, Plaintiff and Counterclaim Defendant JAMES P. VICE and
 20 Defendant and Counterclaim Plaintiff WOODLINE USA, INC. do hereby submit this Joint
 21 Stipulation To Extend Case-Dispositive Motion Hearing Date And Further Case Management
 22 Conference and Related Dates for thirty-five days from the presently scheduled deadline dates.

23 The parties submit this Stipulation on the basis that the parties have been actively
 24 engaged in settlement discussions, and have a good-faith belief that this matter may be resolved
 25 in the very near future, and that with additional time the parties may likely resolve their issues.

26 Based on the foregoing, the parties respectfully request the Court extend the date for
 27 case-dispositive motion and associated Case Management Conference from December 1, 2011 to
 28 January 6, 2012 at 2:00; and that other associated dates be extended as set forth below:

1. Case –dispositive motion to be heard at 2:00 p.m. on January 6, 2012.

1 **ORDER**

2 Having considered the parties request and Joint Stipulation To Extend Case-Dispositive
3 Motion Hearing Date And Further Case Management Conference and Related Dates for thirty-
4 five days from the presently scheduled deadline dates, and finding good cause therefore, the
5 Court hereby orders that the date for any case-dispositive motion and associated Case
6 Management Conference is extended for 35 days as follows:

- 7 1. Case –dispositive motion to be heard at 2:00 p.m. on January **5, 2012.**
8 2. Further case management conference set for 2:00 p.m. on January **5, 2012.**
9 3. The briefing schedule associated with the case-dispositive motion shall remain the
10 same; to wit: plaintiff’s opening brief due 6 weeks before the 01/06/2012 hearing
11 date; Defendant’s opposition/cross-motion (contained within a single brief) due 2
12 weeks thereafter; Plaintiff’s reply/opposition to cross-motion (contained within a
13 single brief) due one week thereafter; Defendant’s reply due one week thereafter.
14 4. All other dates, including trial and pre-trial conference dates shall remain the same as
15 per the Court’s Minute Order and Case Management Order of February 8, 2011.

16 IT IS SO ORDERED, **instead of dates remain the same, dates may need to be changed.**

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18 Date: 10/25/2011

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20 HONORABLE CLAUDIA WILKEN
21 United States District Court Judge
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- 2. Further Case Management Conference set for 2:00 p.m. on January 6, 2012.
- 3. The briefing schedule associated with the case-dispositive motion shall remain the same; to wit: plaintiff's opening brief due 6 weeks before the 01/06/2012 hearing date; Defendant's opposition/cross-motion (contained within a single brief) due 2 weeks thereafter; Plaintiff's reply/opposition to cross-motion (contained within a single brief) due one week thereafter; Defendant's reply due one week thereafter.
- 4. All other dates, including trial and pre-trial conference dates shall remain the same as per the Court's Minute Order and Case Management Order of February 8, 2011.

October 20, 2011

Respectfully Submitted,

Patton Martin & Sullivan LLP

By: Kevin R. Martin
Kevin R. Martin

Attorneys for Plaintiff and Counterclaim
Defendant JAMES P. VICE

October 20, 2011

Law Offices of Scott Fruchter

By: 15/ Scott FRUCHTER
Scott Fruchter

Attorneys for Defendant and
Counterclaim Plaintiff WOODLINE USA, INC.