

1 MICHAEL E. BREWER, Bar No. 177912
 2 ALEXA L. WOERNER, Bar No. 267609
 3 LITTLER MENDELSON, P.C.
 4 A Professional Corporation
 5 Treat Towers
 6 1255 Treat Boulevard
 7 Suite 600
 8 Walnut Creek, CA 94597
 9 Telephone: 925.932.2468
 10 Fax No.: 925.946.9809

11 Attorneys for Defendant
 12 DAVEY TREE SURGERY COMPANY

13 MICHAEL A. SANDS (CSB #178788)
 14 msands@fenwick.com
 15 SAUNDRA L. M. RILEY (CSB #218084)
 16 sriley@fenwick.com
 17 SHEEVA J. GHASSEMI-VANNI (CSB # 246639)
 18 sghassemi@fenwick.com
 19 FENWICK & WEST, LLP
 20 801 California Street
 21 Mountain View, CA 94041
 22 Telephone: 650.988.8500
 23 Facsimile: 650.938-5200

24 Attorneys for Plaintiff
 25 FELIPE CALDERON

26 UNITED STATES DISTRICT COURT
 27 NORTHERN DISTRICT
 28 OAKLAND DISVISION

29 FELIPE CALDERON,
 30
 31 Plaintiff,
 32
 33 v.
 34 DAVEY TREE SURGERY COMPANY, and
 35 DOES 1-50,
 36
 37 Defendant.

38 Case No. 4:11-CV-05486-SBA
 39
 40 **STIPULATION AND [PROPOSED]
 41 ORDER REGARDING ATTENDANCE
 42 AT SETTLEMENT CONFERENCE**
 43
 44 Hon. Sandra Brown Armstrong
 45
 46 Complaint Filed: July 22, 2011

47 Plaintiff FELIPE CALDERON (“Plaintiff”) and Defendant DAVEY TREE
 48 SURGERY COMPANY (“Defendant”) (collectively “The Parties”), hereby stipulate and agree to
 49 CASE NO.: 4:11-cv-05486-SBA

50 Firmwide:122430080.1 001365.1154

51 **STIPULATION AND [PROPOSED] ORDER REGARDING ATTENDANCE AT SETTLEMENT CONFERENCE**

1 the following:

2 WHEREAS, on May 2, 2012, the Parties participated in the Northern District of
3 California's alternative dispute resolution process by attending an Early Neutral Evaluation;

4 WHEREAS, on April 15, 2013, the Court appointed Sheeva Ghassemi-Vanni as pro
5 bono counsel for Plaintiff;

6 WHEREAS, through a July 31, 2013 case management conference, the Honorable
7 Sandra Brown Armstrong suggested that the Parties again participate in the alternative dispute
8 resolution process at this stage given that Plaintiff has newly appointed counsel, and requested that
9 the Parties participate in a settlement conference with a magistrate judge in the next 60 days;

10 WHEREAS, the Parties agree to participate in a settlement conference with a
11 magistrate judge in the next 60 days. Defendant requests that this settlement conference be in lieu of
12 the mandatory settlement conference scheduled for the time period of February 17, 2014 through
13 March 21, 2014, as ordered in the Court's August 1, 2013 Order for Pretrial Preparation. Plaintiff
14 does not oppose this request.

15 THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through
16 their respective counsel, that:

17 1. The Parties will participate in a settlement conference with a magistrate judge
18 within 60 days of the date of this stipulation and order. The Parties request that Magistrate Joseph
19 Spero conduct the settlement conference.

20
21 **IT IS SO STIPULATED.**

22
23 Dated: August 7, 2013

24 /S/ Sheeva J. Ghassemi-Vanni
25 SHEEVA J.GHASSEMI-VANNI
26 FENWICK & WEST LLP
27 Attorneys for Plaintiff
28 FELIPE CALDERON

LITTLER MENDELSON, P.C.
A PROFESSIONAL CORPORATION
Treat Towers
1255 Treat Boulevard
Suite 600
Walnut Creek, CA 94597
925.932.2468

Case No. 4:11-CV-05486-SBA
Firmwide:122430080.1 001365.1154

2.

STIPULATION AND ~~PROPOSED~~ ORDER REGARDING ATTENDANCE AT SETTLEMENT CONFERENCE

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

Dated: August 7, 2013

/S/ Alexa L. Woerner
MICHAEL E. BREWER
ALEXA L. WOERNER
LITTLER MENDELSON, P.C.
A Professional Corporation
Attorneys for Defendant
DAVEY TREE SURGERY COMPANY

I, the filer of this document, attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: August 7, 2013

By /S/ Alexa L. Woerner
Michael E. Brewer
Alexa L. Woerner
LITTLER MENDELSON, P.C.
Attorneys for Defendant
ACTIONLINK, L.L.C.

As good cause exists, and as stipulated above, the Court hereby modifies its Order for Pretrial Preparation of August 1, 2013 such that the Parties must attend a settlement conference with Magistrate Joseph Spero within 60 days of this Order. However, the parties are not excused from the final, mandatory settlement conference scheduled for February 17, 2014 through March 21, 2014. This Order terminates Docket 66.

IT IS SO ORDERED.

Dated: 8/12/13

By: Sandra B. Armstrong
Honorable Sandra Brown Armstrong
UNITED STATES DISTRICT JUDGE