

1 [Counsel are listed on signature page]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP
101 CALIFORNIA STREET, SUITE 2300
SAN FRANCISCO, CALIFORNIA 94111

POGA MGMT PTNRS LLC,

Plaintiff,

v.

MEDFILER LLC, d/b/a RPG
CONSULTANTS, ALVIN RAPP, EVAN
RAPP and DOES 1-20,

Defendants.

MEDFILER LLC, d/b/a RPG
CONSULTANTS, ALVIN RAPP and EVAN
RAPP,

Counterclaim-Plaintiffs,

v.

POGA MGMT PTNRS LLC and MICHAEL
GAMBOA,

Counterclaim-Defendants.

Case No. 4:12-cv-06087-SBA

**STIPULATION AND [PROPOSED]
ORDER CONTINUING NOVEMBER 18
TELEPHONE CONFERENCE**

Date: November 18, 2014
Time: 1 p.m.
Judge: Hon. Nandor J. Vadas
Courtroom: 205A, 2nd floor

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP
101 CALIFORNIA STREET, SUITE 2300
SAN FRANCISCO, CALIFORNIA 94111

1 WHEREAS, on November 4, 2014, the Court set a status conference for November 18,
2 2014, at 1 p.m., for the purpose of setting a date for a mandatory settlement conference (Docket
3 No. 86);

4 WHEREAS, on November 12 the Law Offices of Abe Lampart, PC, entered an
5 appearance for plaintiff/counterclaim-defendant Poga Management Partners LLC and
6 counterclaim-defendant Michael Gamboa (collectively "Plaintiff/Counterclaim-Defendants");

7 WHEREAS, the operative pretrial order in this litigation requires that a mandatory
8 settlement conference be held no later than January 24, 2015 (Docket No. 53);

9 WHEREAS, on November 12 Plaintiff/Counterclaim-Defendants filed a motion to amend
10 the pretrial order to set a series of new deadlines in the litigation, including a deadline of August
11 2015 for the mandatory settlement conference (*see* Docket Nos. 89, 91);

12 WHEREAS, if the Court's decision on the motion to amend, set for hearing on December
13 23, 2014, confirms the January 24, 2015 deadline for a mandatory settlement conference, counsel
14 for Plaintiff/Counterclaim-Defendants has limited availability until late January 2015, and is
15 available on January 22 or January 23; and

16 WHEREAS, counsel for the Defendants/Counterclaim-Plaintiffs is not available for the
17 currently scheduled telephone conference on November 18;

18 THE PARTIES HEREBY REQUEST THAT THE COURT ENTER AN ORDER AS
19 FOLLOWS:

- 20 1. The November 18 telephone conference is vacated.
- 21 2. The Court will EITHER:
- 22 a. ~~Set the mandatory settlement conference for January 22 or January 23,~~
23 ~~2015, subject to the Court's decision on Plaintiff/Counterclaim-~~
24 ~~Defendants' motion to amend,~~
- 25 - OR -
- 26 b. If the Court cannot schedule January 22 or January 23, 2015, for the
27 mandatory settlement conference in this matter, the Court will set a new
28

1 telephone conference for December 9, 2014, at 1 pm, to discuss alternative
2 Parties dial 888-684-8852
3 dates for the mandatory settlement conference, and enter access code
4 1868782 to make appearances.

5 3. In the event that Plaintiff/Counterclaim-Defendants' pending motion to amend the
6 scheduling order is granted, the Court will set a further telephone conference at a later date in
7 order to reschedule any settlement conference.

8 Dated: November 17, 2014

LAW OFFICES OF ABE LAMPART, PC

9 /s/ Abe Lampart
10 ABE LAMPART

11 Attorneys for Plaintiff /Counterclaim-Defendant
12 POGA MGMT PTNRS LLC and Counterclaim-
13 Defendant Michael Gamboa

14 Dated: November 17, 2014

KASOWITZ, BENSON, TORRES &
15 FRIEDMAN LLP

16 /s/ Jason S. Takenouchi
17 JASON S. TAKENOUCHI

18 Attorneys for Defendants/Counterclaim-Plaintiffs
19 MEDFILER LLC, d/b/a RPG CONSULTANTS,
20 ALVIN RAPP, and EVAN RAPP

21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22 Dated: November 18, 2014

23 
24 _____
25 HON. NANDOR J. VADAS
26 United States Magistrate Judge

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