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17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 OAKLAND DIVISION

21 MIGUEL GARCIA, individually and on
 behalf of all others similarly situated,
 22 Plaintiff,
 23 v.
 24 ENTERPRISE HOLDINGS, INC., a
 Missouri corporation, and LYFT INC. d/b/a
 25 Zimride, a Delaware corporation,
 26 Defendants.

Case No. 4:14-cv-00596-SBA
**STIPULATION AND ~~PROPOSED~~
 ORDER CHANGING DATE OF INITIAL
 CASE MANAGEMENT CONFERENCE
 AND ASSOCIATED DEADLINES**
 Judge: Hon. Sandra Brown Armstrong
 Date Filed: February 7, 2014

1 WHEREAS, Plaintiff Miguel Garcia (“Plaintiff”) filed the Complaint in this action against
2 Defendants Lyft, Inc. (“Lyft”) and Enterprise Holdings, Inc. d/b/a Zimride (“Enterprise”)
3 (collectively, “Defendants”) on February 7, 2014; and

4 WHEREAS Plaintiff filed a First Amended Complaint on March 28, 2014; and

5 WHEREAS Plaintiff agreed to grant an extension of time for Defendants to respond to the
6 First Amended Complaint to April 28, 2014, and the Court has so ordered; and

7 WHEREAS, pursuant to the Court’s February 25, 2014 Case Management Scheduling
8 Order (Dkt. #23), April 15, 2014 is the last day for the parties to conduct their Rule 26(f)
9 conference, meet and confer regarding ADR and a discovery plan, and comply with ADR L.R. 3-
10 5, and April 29, 2014 is the last day for the parties to file their Rule 26(f) report, complete initial
11 disclosures, and file a Case Management Statement in the above-captioned matter (collectively,
12 the April 15 and April 29 deadlines are referred to as the “Initial Discovery Deadlines”); and

13 WHEREAS, the parties are currently scheduled to appear telephonically before this Court
14 for the initial Case Management Conference on May 7, 2014 at 3:15 p.m.; and

15 WHEREAS, the parties agree that it would be most convenient and efficient to continue
16 the Initial Discovery Deadlines and Case Management Conference by 30 days.

17 THEREFORE, the parties hereby stipulate as follows:

18 **STIPULATION**

19
20 1. The parties, by and through their undersigned counsel, hereby stipulate and
21 respectfully request a continuance of the Initial Discovery Deadlines until May 15, 2014 and May
22 29, 2014 respectively, and a continuance of the Case Management Conference scheduled for May
23 7, 2014 until June 4, or 5, 2014 or as soon as practicable thereafter as the availability of the
24 Court’s calendar permits.

25 2. The reason for the requested change of time for the Initial Discovery Deadlines
26 and initial Case Management Conference is that a First Amended Complaint was recently filed by
27 Plaintiff on March 28, 2014. Plaintiff has agreed to grant an extension of time for Defendants to
28 respond to the First Amended Complaint until April 28, 2014, and the Court has so ordered.

1 Therefore, so that the parties have sufficient time to consider the pleadings and the claims and
2 defenses raised therein, and in the interest of mutual convenience to the parties and the Court, the
3 parties believe that it is prudent to continue the Case Management Conference and Initial
4 Discovery Deadlines until after Defendants have filed their responsive pleading on April 28,
5 2014.

6 3. Three other time modifications have been made by stipulation in this matter. On
7 February 21, 2014, Plaintiff and Enterprise stipulated that the time for Enterprise to respond to the
8 original Complaint would be extended until April 4, 2014. *See* Dkt. 19. On February 25, 2014,
9 Plaintiff and Lyft stipulated that the time for Lyft to respond to the original Complaint would also
10 be extended to April 4, 2014. *See* Dkt. 25. Following the filing of the First Amended Complaint,
11 the parties stipulated to extend the time for Defendants to respond to the First Amended
12 Complaint until April 28, 2014, and the Court so ordered on March 31, 2014. *See* Dkt. 30.
13 Additionally, the Court previously ordered that the initial Case Management Conference be
14 continued from May 6, 2014 to May 7, 2014. *See* Dkt. 23. No other time modifications have
15 been ordered by the Court.

16 4. The effect of this requested time modification would be to move the deadlines for
17 the exchange of initial disclosures under Federal Rule of Civil Procedure 26(a)(1), the conference
18 of the parties under Federal Rule of Civil Procedure 26(f), the submission of the Federal Rule of
19 Civil Procedure 26(f) Joint Statement, and the ADR deadlines set by Civil Local Rule 16-8 and
20 ADR Local Rule 3-5. The proposed time modification would also postpone the date on which the
21 parties may commence discovery under Federal Rule of Civil procedure 26(d)(1).

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23 ////
24 ////
25 ////

1 5. All parties agree to the stipulation as indicated by their signatures below. The
2 parties respectfully request that the Court approve the stipulation, pursuant to Civil L.R. 6-2 and
3 enter an Order thereupon. A form of Proposed Order is filed herewith.
4

5 Dated: April 4, 2014

EDELSON PC

7 By: /s/ Benjamin S. Thomassen
BENJAMIN S. THOMASSEN

8 Attorneys for Plaintiff
9

10 Dated: April 4, 2014

KEKER & VAN NEST LLP

12 By: /s/ Michelle S. Ybarra
RACHAEL E. MENY
13 JENNIFER A. HUBER
14 MICHELLE S. YBARRA

15 Attorneys for Defendant
LYFT, INC.
16

17 Dated: April 4, 2014

CROWELL & MORING LLP

18 By: /s/ J. Daniel Sharp
J. DANIEL SHARP

19 Attorneys for Defendant
20 ENTERPRISE HOLDINGS, INC.
21

22 **ATTESTATION**

23 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the
24 filing of this document has been obtained from the other signatories.
25

26 Dated: April 4, 2014

/s/ Michelle S. Ybarra
MICHELLE S. YBARRA

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~~PROPOSED~~ ORDER

The Court having considered the above joint request, and good standing appearing therefore, HEREBY ORDERS that the scheduled initial Case Management Conference date of May 7, 2014 is vacated, and shall be rescheduled for telephonic hearing on June 18, 2014 at 3:15 p.m.

Further, the April 15, 2014 and April 29, 2014 deadlines set forth in the Order Setting Initial CMC and ADR Deadlines (Dkt. 5) and Case Management Scheduling Order for Reassigned Civil Cases (Dkt. 23) are vacated and reset for May 15, 2014 and May 29, 2014, respectively.

IT IS SO ORDERED.

DATED: April 7, 2014

By: Sandra B. Armstrong
Hon. Sandra Brown Armstrong
United States District Court
Northern District of California