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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA - OAKLAND
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18 IVETTE RIVERA,
19 Plaintiff,
20 v.
21 EAST BAY MUNICIPAL UTILITY
DISTRICT, et al.,
22 Defendants.
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Case No.: 15-CV-00380-SBA
**JOINT STIPULATION AND [~~PROPOSED~~]
ORDER TO CONTINUE DECEMBER 16, 2015
CASE MANAGEMENT CONFERENCE**

Judge: Hon. Sandra Brown Armstrong

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1 PLAINIFF IVETTE RIVERA (“Plaintiff”) and DEFENDANT EAST BAY
2 MUNICIPAL UTILITY DISTRICT (“EBMUD” or “Defendant”), (collectively the “Parties”), by
3 and through their counsel of record, hereby stipulate as follows:

4 WHEREAS on August 3, 2015, the Court set this matter for a Case Management
5 Conference to be held on October 7, 2015;

6 WHEREAS on August 19, 2015, EBMUD and the now dismissed individual EBMUD
7 Defendants and Union Defendants filed Motions to Dismiss Plaintiff’s First Amended Complaint;

8 WHEREAS the hearing on Defendants’ Motions to Dismiss was scheduled for October
9 14, 2015;

10 WHEREAS the Parties stipulated to, and the Court ordered, a continuance of the October
11 7, 2015 Case Management Conference to December 16, 2015;

12 WHEREAS on November 10, 2015, the Court issued an Order granting the Motions to
13 Dismiss filed by the EBMUD Defendants and the Union Defendants;

14 WHEREAS the Court granted leave to amend only with respect to Plaintiff’s claims for
15 discrimination and retaliation under Title VII, against EBMUD only;

16 WHEREAS on November 25, 2015, a Notice of Appearance was filed by David M.
17 Poore, as the new representative of Plaintiff Ivette Rivera; formerly a *pro se* plaintiff;

18 WHEREAS on December 1, 2015, Plaintiff filed a Second Amended Complaint against
19 EBMUD;

20 WHEREAS the deadline for EBMUD to respond to Plaintiff’s Second Amended
21 Complaint is December 18, 2015;

22 WHEREAS, since counsel for Plaintiff has only recently joined this matter, counsel for
23 EBMUD and counsel for Plaintiff have not yet been able to adequately meet and confer regarding
24 initial disclosures, a discovery plan, and a joint case management conference statement;

25 WHEREAS the Parties agree that in the interests of efficiency and clarity of issues, and in
26 an effort to better comply with the obligations set forth by this Court and the Federal Rules of
27 Civil Procedure, it is in the best interests of the Court and the Parties for the Court to continue the
28 Case Management Conference to allow sufficient time for the Parties to effectively meet and

1 confer;

2 WHEREAS the Parties mutually agree and request to continue the Case Management
3 Conference presently set for December 16, 2015 for forty-five (45) days, or to a date most
4 convenient for the Court;

5 NOW THEREFORE, the Parties stipulate, by and through their counsel and pursuant to
6 Court approval, that:

7 The Case Management Conference is continued to 02/11/2016 at 2:30 PM. In
8 accordance with the Standing Order, a joint case management statement must be filed one week
9 in advance of the case management date.

10 The Parties attest that on file are all holographic signatures corresponding to any
11 signatures indicated by a conformed signature (/s/) within this e-filed document.

12 **IT IS SO STIPULATED.**

13 Dated: December 9, 2015

BROWN POORE LLP

14 By: /s/ David M. Poore

15 David M. Poore
16 Attorneys for Plaintiff
17 IVETTE RIVERA

18 Dated: December 9, 2015


LIEBERT CASSIDY WHITMORE

19 By: /s/ Zachary W. Shine

20 Richard C. Bolanos
21 Zachary W. Shine
22 Attorneys for Defendant
23 EAST BAY MUNICIPAL UTILITY
24 DISTRICT

25 **IT IS SO ORDERED.**

26 Dated: 12/10/2015

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28 The Honorable Sandra Brown Armstrong
United States District Court Judge