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13 Attorneys for Defendant
14 A-PARA TRANSIT CORP.

15
 16 UNITED STATES DISTRICT COURT FOR THE
 17 NORTHERN DISTRICT OF CALIFORNIA
 18

19 ROY RICHARD, an individual, on behalf of
 himself and all “aggrieved employees”
 20 pursuant to Labor Code §2698, *et seq.*

21 Plaintiff,

22 v.

23 A-PARA TRANSIT CORP., a California
 24 corporation; and DOES 1 through 10,

25 Defendants.

Case No. 4:17-cv-05299-HSG

**JOINT STIPULATION FOR REQUEST
 FOR CONTINUANCE OF
 DECEMBER 19, 2017 CASE
 MANAGEMENT CONFERENCE AND
 CASE MANAGEMENT CONFERENCE-
 RELATED DATES**

[Proposed Alternate Date: February 27, 2018]

Hon. Haywood S. Gilliam, Jr.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 Pursuant to Northern District of California Local Rules 6-1, 6-2, and 7-12, Plaintiff Roy
3 Richard (“Plaintiff”) and Defendant A-Para Transit Corp. (“Defendant”), by and through their
4 respective counsel, hereby respectfully stipulate and jointly request that the Court continue the
5 December 19, 2017 case management conference, and all related deadlines, until some further date
6 convenient for this Court.

7 **RECITALS**

8 WHEREAS, on August 4, 2017, Plaintiff individually and on behalf of all “aggrieved
9 employees” under the Private Attorneys General Act (“PAGA”), filed a Representative Action in
10 the Superior Court of California, County of Alameda, Case No. HG 17 870373 (“the Complaint”).

11 WHEREAS, Defendant was served with the Complaint on August 14, 2017.

12 WHEREAS, on September 13, 2017, Defendant filed a Notice of Removal of the
13 Complaint.

14 WHEREAS, on September 13, 2017, this case was assigned to Magistrate Judge Joseph S.
15 Spero.

16 WHEREAS, on September 29, 2017, this case was reassigned to this Court.

17 WHEREAS, on September 29, 2017, this Court set a case management conference for
18 December 19, 2017 at 2:00 p.m. and a due date for submitting a case management statement by
19 December 12, 2017.

20 WHEREAS, the parties have met and conferred regarding ADR and have agreed to private
21 mediation to be held on January 11, 2018.

22 WHEREAS, Plaintiff has informed Defendant that Plaintiff intends to file a Motion for
23 Remand to State Court in the event the parties are not able to resolve this matter at mediation.

24 WHEREAS, the current case calendar would require the parties to conduct the Fed. R. Civ.
25 P. 26(f) conference, complete Initial Disclosures or state objection in the 26(f) Report, submit the
26 Joint Case Management Conference Statement, and attend the Case Management Conference
27 before the mediation on January 11, 2018.

28

1 WHEREAS, counsel for the parties have met and conferred and agree that continuing the
2 December 19, 2017 Case Management Conference and all Case Management Conference-related
3 dates, will conserve attorneys' fees and court resources and serve the interests of judicial economy
4 by allowing the parties to focus on resolving this matter at the January 11, 2018 mediation.

5 WHEREAS, the parties stipulate that the Case Management Conference be continued to
6 February 27, 2018, or such other date as the Court deems appropriate, and that all Case
7 Management Conference-related dates be continued as well.

8 WHEREAS, counsel for the parties submit that the continuance will not, at this early stage,
9 have a significant effect on the overall schedule for this case because it will only affect Case
10 Management Conference-related dates (date to conduct the Fed. R. Civ. P. 26(f) conference,
11 complete Initial Disclosures or state objection in the 26(f) Report, submit the Joint Case
12 Management Conference Statement, and attend the Case Management Conference).

13 WHEREAS, Keahn Morris attests that Daniel Gaines concurs in filing this stipulation.

14
15 **SO STIPULATED.**

16
17 Dated: November 27, 2017 GAINES & GAINES, APLC

18
19 By /s/ Daniel F. Gaines
20 Alex P. Katofsky, Esq.
21 Daniel F. Gaines, Esq.

22 Dated: November 27, 2017 SHEPPARD MULLIN RICHTER & HAMPTON LLP

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24 By /s/ Keahn N. Morris
25 Morgan P. Forsey
26 Keahn N. Morris

27 Attorneys for Defendants
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ORDER

IT IS HEREBY ORDERED, pursuant to the stipulation of the parties and good cause appearing, that the Case Management Conference currently set for December 19, 2017, be continued to February 27, 2018, at 2:00 p.m.

IT IS FURTHER ORDERED that the parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement that complies with the Standing Order For All Judges Of the Northern District of California and the Standing Order of this Court, and that shall be filed no later than 7 days prior to the Case Management Conference.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: November 28, 2017


The Honorable Haywood S. Gilliam, Jr.
United States District Judge