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11 Attorneys for Defendant PHIL BRANSTON

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

14 KIMBERLY VAUPEN,

15 Plaintiff,

16 v.

17 PHIL BRANSTON, an individual, and
18 DOES 1-10 and DOES 1 through 20,
inclusive,

19 Defendants.

Case No. 17-cv-05463-DMR

**STIPULATION TO CONTINUE
SETTLEMENT CONFERENCE
HEARING; [PROPOSED] ORDER**

Hearing Date: June 1, 2018

Time: 11:00 a.m.

Judge: Kandis A. Westmore

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22 **COME NOW THE PARTIES HEREIN, BY AND THROUGH THEIR**
23 **RESPECTIVE ATTORNEYS OF RECORD, AND HEREBY STIPULATE AS**
24 **FOLLOWS:**

25 WHEREAS issues regarding the pleadings in the above-entitled matter are not
26 yet settled, as the Court has only just issued a ruling granting the defendant's Motion
27 to Dismiss Portions of Plaintiff's First Amended Complaint, and granting plaintiff
28 through May 24, 2018 to file a Second Amended Complaint;

1 WHEREAS defendant served written discovery upon the plaintiff immediately
2 after receiving the Court’s Order granting defendant’s Motion to Dismiss Portions of
3 Plaintiff’s First Amended Complaint, and plaintiff’s responses to those discovery
4 requests are not due until after the June 1, 2018 Settlement Conference is scheduled to
5 occur;

6 WHEREAS the plaintiff and her counsel are not available for the deposition of
7 the plaintiff until after the June 1, 2018 Settlement Conference is scheduled to occur;

8 WHEREAS Magistrate Judge Kandis A. Westmore’s Settlement Conference
9 Standing Order provides that “*counsel shall ensure that whatever discovery is needed*
10 *for all sides to evaluate the case for settlement purposes is completed by the date of*
11 *the settlement conference*”; and

12 WHEREAS the parties wish to comply with the Settlement Conference
13 Standing Order but find that they are unable to complete necessary discovery until
14 after the June 1, 2018 date currently scheduled for the Settlement Conference in the
15 above-entitled matter;

16 **IT IS HEREBY STIPULATED AND AGREED THAT** the June 1, 2018
17 Settlement Conference be continued approximately 90 days, to the week of September
18 10, 2018, or to such other date as is convenient to the Magistrate, and that all dates
19 related to the Settlement Conference be continued to correspond to the new Settlement
20 Conference date.

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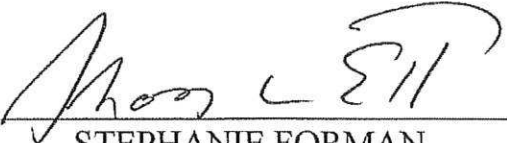
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15250 Ventura Boulevard, Ninth Floor
Sherman Oaks, California 91403-3221

1 IT IS SO STIPULATED.


2 Dated: May 21, 2018

THARPE & HOWELL, LLP

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4
5 By: 
6 STEPHANIE FORMAN
7 SHAWN K. ELLIOTT
8 Attorneys for Defendant,
9 PHIL BRANSTON

10 Dated: May 21, 2018

LAW OFFICES OF SUNITA KAPOOR

11
12 By: 
13 SUNITA KAPOOR
14 Attorney for Plaintiff,
15 KIMBERLY VAUPEN

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1 **BASED UPON THE STIPUATION OF THE PARTIES, AND GOOD CAUSE**
2 **APPEARING THAT THE JUNE 1, 2018 SETTLEMENT CONFERENCE BE**
3 **CONTINUED,**

4 **IT IS ORDERED** that the June 1 Settlement Conference shall be continued to
5 September 12, 2018 at 11:00 a.m.,

6 and that all dates relating to the Settlement Conference, including but not limited to
7 meet and confer requirements and settlement conference statements, be extended
8 with the new date.

9 Dated: 5/23/18

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12 
13 HON. KANDIS A. WESTMORE
14 UNITED STATES
15 MAGISTRATE JUDGE

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