



1 Plaintiff Kathleen Wheatley and nominal defendant Extreme Networks, Inc. (collectively,  
2 the "Parties") hereby submit this Joint Case Management Statement and Suggestion for  
3 Rescheduling of Case Management Conference in connection with the case management  
4 conference scheduled for August 27, 2010. The Parties' counsel have met and conferred and, in  
5 order to facilitate continuing settlement discussions, respectfully request that the Court continue  
6 the case management conference to September 3, 2010.

7 The Parties met with Judge Layn R. Phillips (ret.) on August 9, 2010 for mediation, but  
8 did not reach a resolution. The Parties, through Judge Phillips, have continued to communicate  
9 regarding a possible resolution of this action. Due to summer vacation schedules, however, the  
10 Parties have been unable to complete their exchange of proposals and responses thereto, but  
11 expect relevant settlement discussions to resume and continue during the week ending August 27,  
12 2010.

13 Accordingly, the Parties respectfully request that the Court continue the August 27, 2010  
14 case management conference to September 3, 2010 to allow for settlement negotiations to  
15 continue. In an effort to facilitate ongoing settlement discussions, the Parties have agreed to  
16 extend all discovery deadlines by one week. The Parties will update the Court on the status of  
17 their settlement negotiations no later than August 27, 2010.

18  
19 Dated: August 20, 2010

MORGAN, LEWIS & BOCKIUS LLP

20 By:  /s/ Joseph E. Floren

21 JOSEPH E. FLOREN  
22 MATTHEW S. WEILER

23 Attorneys for Nominal Defendant  
24 Extreme Networks, Inc.

25  
26 Dated: August 20, 2010

ROBBINS GELLER RUDMAN  
& DOWD LLP

27 By:  /s/ Shawn A. Williams

28 SHAWN A. WILLIAMS  
CHRISTOPHER M. WOOD

Attorneys for Plaintiff

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Joseph E. Floren, am the ECF User whose ID and password is being used to file this Joint Case Management Statement and Suggestion for Rescheduling of Case Management Conference. In compliance with General Order 45, X.B., I hereby attest that Shawn A. Williams has concurred in this filing.

Executed on this 20th day of August 2010 at San Francisco, California.

MORGAN, LEWIS & BOCKIUS LLP

/s/ Joseph E. Floren  
JOSEPH E. FLOREN

\*\*\*  
**ORDER**

IT IS SO ORDERED.

DATED: 8/25/10

*Ronald M. Whyte*  
THE HONORABLE RONALD M. WHYTE  
UNITED STATES DISTRICT JUDGE