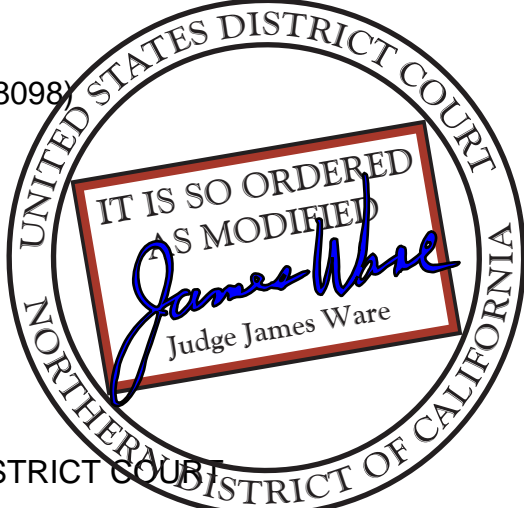


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6 Attorneys for CITY OF SAN JOSE

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 JUAN DIAZ, KEITH KEESLING,
 CHRISTOPHER MURPHY, GARY
 13 WEEKLEY, KAREN ALLEN and other
 employees similarly situated,

14 Plaintiffs,

15 v.

17 CITY OF SAN JOSE,

18 Defendant.

Case Number: C07-06424 JW
 Case Number: C08-02132 JW

**JOINT STATUS STATEMENT
 AND ORDER CONTINUING
 STATUS CONFERENCE RE:
 SETTLEMENT**

20 Pursuant to the Court's January 26, 2010 Order Continuing Status Conferences, the
 21 parties hereby submit the following Joint Status Statement. As this Court is aware, this is a
 22 Fair Labor and Standards Act case in which the Plaintiffs are asserting, based on several
 23 different theories, that Defendant City of San Jose has not paid Plaintiff firefighters overtime
 24 consistent with the Fair Labor and Standards Act for the last several years. The City denies
 25 these allegations.

26 As reported in the parties' last joint status conference, the parties believe they have
 27 reached a settlement agreement in principle, subject to proper authorization. The parties
 28 have continued to meet and confer regarding the details of the settlement terms, and believe

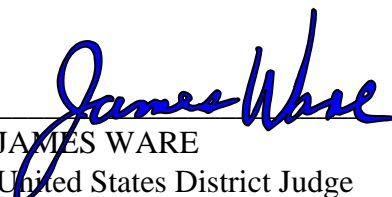
1 *** ORDER ***

2 Although the Court had previously warned the parties regarding the timeliness of their filings, it
3 appears that the parties have once again failed to adhere to the Court's Orders. The Court's January
4 26, 2010 Order required that the parties' Joint Statement be filed on or before March 26, 2010 (Docket
5 Item No. 51); however, the parties did not file their Joint Statement until March 29, 2010. (Docket
6 Item No. 52.)
7

8 Based on the representation that the City Council voted on the Settlement Agreement on March
9 30, 2010, the Court GRANTS a brief continuance to allow the parties to finalize their Settlement
10 Agreement. The Court continues the Status Conference from April 5, 2010 to **May 24, 2010 at**
11 **10 a.m.** On or before **May 14, 2010**, the parties shall their Joint Statement or Stipulated Judgment for
12 the Court's approval.
13

14 Failure to timely file the required statement may result in monetary sanctions for both parties.
15

16
17 Dated: March 31, 2010



JAMES WARE
United States District Judge

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