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 12 **E-Filed 10/7/2009**

13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16
 17 MAHROOM FAMILY PARTNERSHIP, LP,
 18 a California limited
 partnership;

19 Plaintiff,

20 vs.

21 BEST WESTERN INTERNATIONAL,
 22 INC., an Arizona corporation;
 and DOES 1 through 10,
 23 inclusive;

24 Defendants.

25 AND RELATED COUNTERCLAIMS.
 26

Case No. C08-00136 JF

STIPULATION RE CASE
 MANAGEMENT CONFERENCE;
 {PROPOSED} ORDER THEREON

Date: Oct. 30, 2009
 Time: 10:30 a.m.
 Place: Courtroom 3, 5th Floor

Hon. Jeremy Fogel

1 WHEREAS, a trial in the related case of Mahroom v. Best Western
2 International, Inc., Case No. C 07-2351 JF (HRL), has been
3 conducted and a memorandum of intended decision has been issued but
4 the parties are still engaged in the process of filing post-trial
5 submissions and a final decision in that matter has not been made;
6 and

7 WHEREAS, the parties are interested in exploring possible
8 settlement options and have requested a referral to Magistrate
9 Bernard Zimmerman for purposes of trying to schedule a settlement
10 conference sometime between October 30, 2009 and November 19, 2009;
11

12 IT IS STIPULATED, by and between plaintiff/counterdefendant
13 Mahroom Family Partnership, LP and defendant/counterclaimant Best
14 Western International, Inc. ("BWI"), by their respective attorneys,
15 that:

16 1. The parties are referred to Magistrate Judge Zimmerman for
17 a settlement conference and shall endeavor to schedule such a
18 settlement conference consistent with Magistrate Judge Zimmerman's
19 and the respective schedules of the parties and their counsel. This
20 settlement conference shall attempt to resolve the parties' disputes
21 as they relate to both this action and to the case of Mahroom v.
22 Best Western International, Inc., Case No. C 07-2351 JF (HRL);

23 2. The court shall not require the filing of a written Case
24 Management Conference Statement until after the parties have had a
25 chance to participate in a settlement conference before Magistrate
26 Judge Zimmerman and, if that is not successful, then after a final
27 ruling is made in Case No. C 07-2351 JF (HRL); and

28 3. The parties shall appear in person or telephonically

1 before the court on November 20, 2009 to discuss the status of this
2 case.

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4 GORMAN & MILLER, P.C.

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6 By: /s/
7 John C. Gorman
8 Attorneys for Plaintiff/
9 Counterdefendants Mahroom Family
10 Partnership, LP


11
12 DLA PIPER US, LLP

13 By: /s/
14 Jeffrey M. Hamerling
15 Attorneys for
16 Defendant/Counterclaimant
17 Best Western International, Inc.

18
19 ORDER

20 IT IS SO ORDERED.

21 DATED: 10/7/2009, 2009

22
23 
24 HON. JEREMY FOGEL
25 United States District Court