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Attorney for Plaintiff:
 Carol Lynne Arao

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CAROL LYNNE ARAO,

Plaintiff,

v.

CABRILLO COMMUNITY COLLEGE, PEGI ARD,
 DEBRA BARNETT, LOREE McCRAWLEY, BARBARA
 SHINGAI, SHELLEY WEST, and DOES 1 through 100

Defendants.

Case No.: 5:08-CV-03050 PVT

**STIPULATION TO ALLOW FILING OF
 SECOND AMENDED COMPLAINT; AND
 TO STAY PROCEEDINGS AND EXTEND
 TIME SET BY ORDER SETTING INITIAL
 CASE MANAGEMENT CONFERENCE AND
 ADR DEADLINE, AND ~~PROPOSED~~ ORDER**

This stipulation is entered into by Kenneth R. Mackie of behalf of plaintiff and John A. Shupe on behalf of all defendants presently named in the lawsuit. It is hereby stipulated that plaintiff may file a Second Amended Complaint. (Proposed Second Amended Complaint attached hereto.)

It is further stipulated that the time to respond to the Complaint in this action shall begin to run from the filing of the Second Amended Complaint and that the named defendants will have twenty (20) days from the date of service of the Second Amended Complaint in which to file a responsive pleading.

In addition, the undersigned counsel stipulate and agree that the current Scheduling Order requires modification.

The undersigned counsel concur that this is a case in which contains a number of State causes of action for which administrative remedies have yet to be exhausted. To prevent multiple lawsuits concerning the same

1 underlying facts and parties, it is necessary to pursue administrative remedies to exhaustion thus allowing this court
2 to here those causes of action under pendent jurisdiction. The parties are currently engaged in dialogue to arrive at
3 an early settlement of this action. In the interests of judicial economy, the parties therefore stipulate and agree to
4 Stay the Proceedings for 120 days and that the times fixed by the Court's Scheduling Order for the close of
5 discovery should be extended by three (3) months and that all other dates set by that Order should similarly be
6 extended by a three (3) month period. The parties respectfully request that the court extend the following dates as
7 set forth hereinafter:


- 8 (1) The Last Day to meet and confer re: initial disclosures, early settlement, ADR process selection, and
9 discovery plan, currently set for September 16, 2008, shall be extended three months to December 16,
10 2008;
- 11 (2) The Last Day to file ADR Certification signed by Parties and Counsel, currently set for September 16,
12 2008, shall be extended three months to December 16, 2008;
- 13 (3) The Last Day to file either Stipulation to ADR process or Notice of Need for ADR Phone Conference,
14 currently set for September 16, 2008, shall be extended three months to December 16, 2008;
- 15 (4) The Last Day to file Rule 25(f) Report, complete initial disclosures or state objection in Rule 26(f)
16 Report and file Case Management Statement per attached Standing Order re Contents of Joint Case
17 Management Statement, currently set for September 30, 2008, shall be extended three months to
18 December 30, 2008;
- 19 (5) The INITIAL CASE MANAGEMENT CONFERENCE, currently set for October 7, 2008, shall be
20 extended three months to January ⁶~~7~~, 2009.

21 IT IS HEREBY STIPULATED by and between the parties hereto, through their respective counsel, that do
22 to the reasons set forth hereinabove, all of the above dates shall be continued as indicated, unless those dates are
23 incompatible with the Court calendar, in which case the Court shall assign an appropriate date commensurate with
24 its calendar.
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3 DATED: September 24, 2008

4
5 /s/ Kenneth R. Mackie
KENNETH R. MACKIE
6 Attorney for Plaintiff CAROL LYNNE ARAO

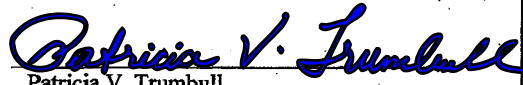
7 DATED: September 24, 2008

8 
9 JOHN SHUPE
Attorney for Defendants CABRILLO
10 COMMUNITY COLLEGE, PEGI ARD, DEBRA
BARNETT, LOREE McCAWLEY, BARBARA
11 SHINGAI, and SHELLEY WEST

12 **ORDER**

13
14 IT IS SO ORDERED; AS MODIFIED.

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16 DATE: 10/1/08

17 
18 Patricia V. Trumbull
Judge of the United States District Court