1	CAROLYN COLLINS, STATE BAR NO. 083	228 CLATES DISTRICT CO	
2	ccollins@nixonpeabody.com		
3	LYNN R. FIORENTINO, STATE BAR NO. 226691 <u>Iffiorentino@nixonpeabody.com</u> GINA M. FORNARIO, STATE BAR NO. 246619 IT IS SO ORDERED IT IS SO ORDERED		
4	\square of ormatio (2) pixon preshody com		
+ 5	NIXON PEABODY LLP One Embarcadero Center, 18 th Floor San Francisco, CA 94111-3600 Talankarta (A15) 094 8200		
6	San Francisco, CA 94111-3600 Telephone: (415) 984-8200	Judge Jame	
8 7	Facsimile: (415) 984-8300'	THERE OF CR	
	Attorneys for Defendant THE PROCTER & GAMBLE DISTRIBUTING	G, LLC	
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN JOSE DIVISION		
11	ELIZABETH PEREZ,	Case No.: C 08 03057 JW	
12	Plaintiff,	[Originally filed in San Benito Superior	
13		Court, Hollister – Civil Division, Case No. CU-08-00021]	
14	VS.	JOINT STATEMENT OF PARTIES IN	
15	THE PROCTER & GAMBLE DISTRIBUTING, LLC; DOES 1 to 20,	RESPONSE TO COURT ORDER	
16		ORDER CONTINUING ORDER TO SHOW CAUSE	
17	Defendants CAUBE		
18	In response to the Court's Order dated June 19, 2009 the Parties submit the following		
19	statement.		
20	1) On July 1, 2009 defense counsel received the signed Release and Stipulated		
21	Request for Dismissal and [Proposed] Order from plaintiff's counsel.		
22	2) Defendant has apprised its counsel that the settlement draft will be issued and sent		
23	from Cincinnati, Ohio, by mid-week. However, the close of defendant's fiscal year on June 30,		
24	2009, made issuance of the check during the week of June, 2009 impossible.		
25	///		
26	11/		
27	111		
28			
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1	3) Accordingly, the parties respectfully request that the Court continue by at least one	
1	week, until July 20, 2009 the appearance currently scheduled for July 13, 2009, subject to the	
	same conditions stipulated by this Court's June 19, 2009 order.	
	Respectfully submitted:	
4	Respectionly submitted.	
5	Dated: July 6, 2009 NIXON PEABODY LLP	
6		
7	By: Carolan	
8	Carolyn Collins Attorneys for Defendant	
9	THE PROCTER & GAMBLE DISTRIBUTING LLC	
10	LAW OFFICES OF THOMAS SALCICCIA	
11	Dated: July, 2009 LAW OFFICES OF THOMAS SALCICCIA	
12	Al Solari	
13	By: / Un Oracean Thomas Salciccia	
14	Nelson McElmurry Attorneys for Plaintiff	
15	ELIZABETH PEREZ	
16	*** ORDER ***	
17	The Court finds good cause to GRANT the parties' Stipulation to continue the Order to Show	
18	Cause hearing from July 13, 2009 to August 31, 2009 at 9 a.m. On or before August 10, 2009, the	
19		
20	parties shall file their Stipulated Dismissal. If no Stipulated Dismissal is on file that day, the parties	
21	shall file a Joint Status Report informing the Court of their efforts to reduce the settlement to a	
22	writing and to bring this case to a close.	
23	This is the parties' final continuance.	
24		
25		
26	Dated: July 7, 2009 James Mark	
27	nited States District Judge	
28		
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JOINT STATEMENT OF PARTIES IN RESPONSE TO ORDER TO SHOW CAUSE