

1 KAREN DEHONEY, IN PRO SE
284 East Prosperity Avenue
2 Tulare, California 93274
Telephone: (559) 684-1765

3 Plaintiff, in Pro Se
4

5 LAFAYETTE & KUMAGAI LLP
GARY T. LAFAYETTE (State Bar No. 088666)
6 BRIAN H. CHUN (State Bar No. 215417)
100 Spear Street, Suite 600
7 San Francisco, California 94105
Telephone: (415) 357-4600
8 Facsimile: (415) 357-4605

9 Attorneys for Defendant
DENNY'S, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

LAFAYETTE & KUMAGAI LLP
ATTORNEYS AT LAW
100 SPEAR STREET, SUITE 600
SAN FRANCISCO, CALIFORNIA 94105
(415) 357-4600
FAX (415) 357-4605

15 KAREN DEHONEY,
16 Plaintiff,

17 vs.

18 DENNY'S, INC.,
19 Defendant.

Case No. C-08-04092 JW

**STIPULATED REQUEST FOR
ORDER EXTENDING DISCOVERY
CUTOFF AND DEADLINE FOR
DISPOSITIVE MOTIONS TO BE
HEARD; [PROPOSED] ORDER
THEREON**

Complaint filed: August 27, 2008
Trial date: June 2, 2010

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SAN FRANCISCO, CALIFORNIA 94105
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FAX (415) 357-4605

STIPULATION

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2 WHEREAS on February 4, 2009, the Court issued an order setting the discovery cutoff in
3 this matter for December 7, 2009 and the deadline for dispositive motions to be heard for February
4 8, 2010;

5 WHEREAS Plaintiff Karen DeHoney ("Plaintiff") and Defendant Denny's, Inc.
6 ("Defendant") subsequently agreed that a February 8, 2010 hearing date on Defendant's motion for
7 summary judgment would be acceptable to both parties;

8 WHEREAS pursuant to that agreement, Defendant's deadline to file a motion for summary
9 judgment is January 4, 2010;

10 WHEREAS Plaintiff and Defendant further agreed that Plaintiff's deposition would be
11 completed on Wednesday, December 2, 2009;

12 WHEREAS on November 26, 2009, Plaintiff notified Defendant that she was no longer
13 available for deposition on December 2, 2009 and will not be available for deposition for the next
14 few weeks due to a recent diagnosis of a very serious medical condition that will require surgery;

15 WHEREAS due to Plaintiff's unavailability, Plaintiff's deposition cannot be completed
16 prior to the December 7, 2009 discovery cutoff and possibly not before Defendant's January 4,
17 2010 deadline to file its motion for summary judgment; and

18 WHEREAS Defendant needs to complete Plaintiff's deposition in order to prepare its
19 motion for summary judgment,

20 IT IS HEREBY STIPULATED and agreed by Plaintiff and Defendant:

- 21 1. That the discovery cutoff be extended to January 18, 2010 (i.e., six weeks) for
22 purposes of the completion of Plaintiff's deposition; and
23 2. That the deadline for dispositive motions to be heard be extended to March 22,
24 2010 (i.e., six weeks), a date that both parties have agreed would be an acceptable
25 date for a hearing on Defendant's motion for summary judgment.

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Dated: November 30, 2009

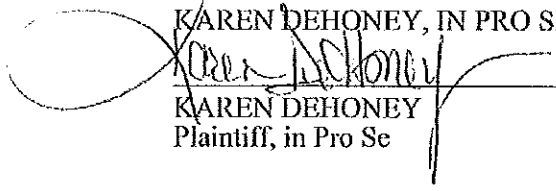
LAFAYETTE & KUMAGAI LLP

/s/ Brian H. Chun

BRIAN H. CHUN
Attorneys for Defendant
DENNY'S, INC.

Dated: November 30, 2009

KAREN DEHONEY, IN PRO SE



KAREN DEHONEY
Plaintiff, in Pro Se

ORDER

Good cause appearing therefor and pursuant to the parties' stipulation, it is hereby ORDERED that the discovery cutoff be extended to January 18, 2010 for purposes of the completion of Plaintiff's deposition and that the deadline for dispositive motions to be heard be extended to March 22, 2010.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

All other dates remained unaffected by this order.

DATED: December 9, 2009



JAMES WARE
United States District Judge

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CERTIFICATE OF SERVICE

I declare:

I am employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 100 Spear Street, Suite 600, San Francisco, California, 94105.

On November 30, 2009, I served the document named below on the parties in this action as follows:

STIPULATED REQUEST FOR ORDER EXTENDING DISCOVERY CUTOFF AND DEADLINE FOR DISPOSITIVE MOTIONS TO BE HEARD; [PROPOSED] ORDER THEREON

X (BY MAIL) I caused each and such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California. I am readily familiar with the practice for the collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.

(BY PERSONAL SERVICE) I caused to be personally served each document listed above on the addressee (s) noted below.

(BY FACSIMILE) I caused to be sent via facsimile at the facsimile number listed below, a copy of each document to the addressee(s) noted below

(BY OVERNIGHT MAIL) I caused to be delivered to an overnight courier service each Such envelope to the addressee noted below.

Karen DeHoney, In Pro Se
284 East Prosperity Avenue
Tulare, California 93274

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 30, 2009, at San Francisco, California.

[Handwritten signature of Tahlise M. Hines]
Tahlise M. Hines

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