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 Attorneys for Defendant  
 7 GRUMA CORPORATION dba MISSION FOODS

\*\*E-Filed 5/6/2010\*\*

8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN JOSE DIVISION**

11 NICOLAS ROSNER, an individual,  
 12  
 Plaintiff,  
 13  
 v.  
 14  
 15 MISSION FOODS CORP., an unknown  
 business entity; GRUMA CORPORATION, a  
 16 Nevada business entity doing business in  
 California; DOES 1 to 10, business entit(ies),  
 17 form(s) unknown; DOES 11-20, individual(s);  
 18 and DOES 21-30, inclusive,  
 19  
 Defendants.

Case No. 5:09-cv-04402-JF

**STIPULATION TO CONTINUE 5-7-2010**  
**CASE MANAGEMENT CONFERENCE**  
**DUE TO SETTLEMENT OF ACTION;**  
**[PROPOSED] ORDER**

1 IT IS HEREBY STIPULATED by and between Plaintiff Nicholas Rosner ("Rosner") and  
2 Defendant Gruma Corporation ("Gruma"), and their respective counsels of record, that the  
3 following Stipulation may be entered to give effect to the stipulations set forth below pursuant to  
4 Civil L.R. 16-2(e).

5 WHEREAS, pursuant to the Court's March 5, 2010 Order (Docket No. 26), a Further Case  
6 Management Conference in this action is currently scheduled for May 7, 2010 at 10:30 a.m.;

7 WHEREAS, the parties have reached an agreement regarding settlement of this action, but  
8 require additional time to finalize a written settlement agreement before requesting dismissal;

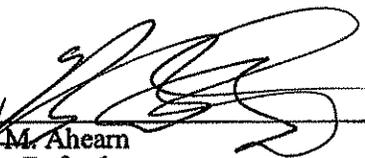
9 WHEREAS, neither Rosner nor Gruma would be prejudiced by a continuance of the May 7,  
10 2010 Further Case Management Conference;

11 IT IS THEREFORE STIPULATED by and between Rosner and Gruma that the Court  
12 should continue the May 7, 2010 Case Management Conference to a date that is convenient for the  
13 Court but is not earlier than July 6, 2010.

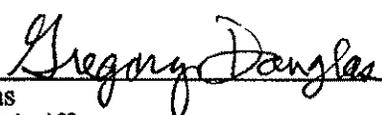
14 IT IS SO STIPULATED ON THE DATES INDICATED BELOW.

15 DATED: May 5, 2010

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

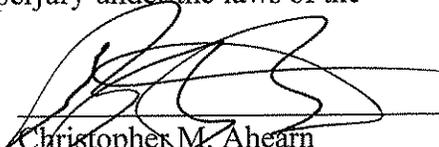
17  
18 By:           / s/             
19 Christopher M. Ahearn  
20 Attorneys for Defendant  
GRUMA CORPORATION dba MISSION  
FOODS

21  
22 UNITED EMPLOYEES LAW GROUP

23  
24 By:           / s/             
25 Gregory Douglas  
26 Attorneys for Plaintiff  
NICOLAS ROSNER

1 ATTESTATION PER GENERAL ORDER NO. 45.X.B.

2 Concurrence in the filing of this document has been obtained from each of the signatories  
3 listed above. Attested to on May 5, 2010 under penalty of perjury under the laws of the  
4 United States.

5   
Christopher M. Ahearn

6  
7 **PROPOSED ORDER**

8 Having reviewed the foregoing Stipulation by Plaintiff Nicholas Rosner and Defendant  
9 Gruma Corporation, and GOOD CAUSE APPEARING for the requested relief, it is hereby  
10 ORDERED that:

11 The Case Management Conference in this action currently scheduled for May 7, 2010 at  
12 10:30 a.m. is continued to July 9, 2010 at 10 : 30 a.m.

13 **IT IS SO ORDERED**

14 Dated: May 6, 2010

15   
16 HON. JEREMY FOGEL  
17 UNITED STATES DISTRICT JUDGE

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