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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALBERT NGUYEN-PHOUC,

Plaintiff,

vs.

ARAMARK CORPORATION; and DOES
1 THROUGH 50, inclusive;

Defendants.

Case No. C 09-04879 JW

**STIPULATION AND [PROPOSED]
ORDER MODIFYING ADR DEADLINE**

Plaintiff Albert Nguyen-Phouc ("Plaintiff") and Defendant ARAMARK Sports, LLC ("ARAMARK") (improperly named as ARAMARK Corporation), the parties to the above-entitled action (collectively referred to herein as the "Parties"), submit this Stipulation to the Court:

STIPULATION

WHEREAS, on January 20, 2010, the Court issued an Order Selecting ADR Process in the above-entitled action ("Order");

1 WHEREAS, the Court's Order approved the stipulation between the Parties to participate
2 in an Early Neutral Evaluation;

3 WHEREAS, according to the Court's Order, the deadline for the Parties to hold an Early
4 Neutral Evaluation is 90 days from the date of the order, or April 20, 2010;

5 WHEREAS, the initial Case Management Conference is set for April 26, 2010;

6 WHEREAS, the Parties will not have sufficient time to complete initial written discovery
7 and depositions before the currently scheduled deadline to participate in an Early Neutral
8 Evaluation;

9 WHEREAS, on March 2, 2010, the Parties participated in a pre-Evaluation telephone
10 conference with the assigned Evaluator, during which the Parties and the Evaluator agreed that it
11 would be beneficial for settlement purposes if the Parties completed Plaintiff's deposition prior to
12 participating in an Early Neutral Evaluation;

13 WHEREAS, the Parties and the assigned Evaluator set the Early Neutral Evaluation for
14 May 5, 2010, pending the Court's approval of the extension of the deadline to participate in the
15 Early Neutral Evaluation;

16 WHEREAS, the Parties have not previously requested any extensions of the deadlines set
17 forth in the Court's Order; and

18 WHEREAS, for good cause and to promote settlement and avoid prejudice that would
19 result to both Parties if the deadline to participate in an Early Neutral Evaluation is not revised,
20 the Parties jointly request an extension of the deadline to participate in an Early Neutral
21 Evaluation set forth in the Court's Order;

22 NOW, THEREFORE, Plaintiff and ARAMARK, through their undersigned respective
23 counsel, stipulate and request that the Court approve the following revised deadline:

24 5/20/2010 Last day for Parties to participate in an Early Neutral Evaluation

25 To avoid prejudice to both Parties, GOOD CAUSE exists to modify the deadline in this
26 action as described herein.
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28

1 Dated: March 5, 2010

ADVOCACY CENTER FOR
EMPLOYMENT LAW

2
3 By 

Steven P. Cohn
Attorneys for Plaintiff
ALBERT NGUYEN-PHOUC

4
5 Dated: March 5, 2010

MORGAN, LEWIS & BOCKIUS LLP

6
7 By /s/

Kathryn M. Dancisak
Attorneys for Defendant
ARAMARK Sports, LLC (improperly
named as ARAMARK Corporation)

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12 ORDER

13 In light of the foregoing STIPULATION of the Parties and good cause appearing, the
14 Court ORDERS the following revised deadline in this case:

15 5/20/2010 Last day for Parties to participate in an Early Neutral Evaluation

16 To avoid prejudice to both Parties, GOOD CAUSE exists to modify the deadline in this
17 action as described herein.

18
19 Dated: March 12, 2010


Hon. James Ware
United States District Court Judge