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E-FILED 03-30-2010

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

MONTEREY GOURMET FOODS, INC.,

Defendant.

No. C10-0152-HRL

~~PROPOSED~~

**STIPULATION AND ORDER RE:
CONTINUANCE OF CASE
MANAGEMENT CONFERENCE**

(MODIFIED BY THE COURT)

The parties, through their counsel, hereby stipulate as follows, and good cause appearing, the court orders as follows:

STIPULATION AND ORDER

The initial Case Management Conference is presently scheduled for April 13, 2010. However, in or about March 2010, a Motion for Leave to Intervene was filed and served that is set for hearing on April 20, 2010. Accordingly, to avoid duplicative effort by counsel for current parties as well as the Court, and to await participation in the initial Case Management Conference by new parties if the Court grants leave to intervene, it is stipulated that the initial Case Management Conference be continued until June 8, 2010 at 1:30 p.m.

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Dated: March 22, 2010

SHAPIRO BUCHMAN PROVINE LLP

/s/ Rhonda D. Shelton
RHONDA D. SHELTON
Attorneys for Defendant MONTEREY GOURMET
FOODS, INC.

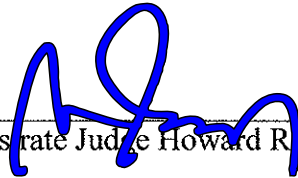
Dated: March 22, 2010

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION**

/s/ Debra A. Smith
DEBRA A. SMITH
Attorneys for Plaintiff EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

IT IS SO ORDERED. No later than April 6, 2010, plaintiff shall either consent or decline to proceed before a magistrate judge.

Dated: March 30, 2010


Magistrate Judge Howard R. Lloyd