

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GUIFU LI, et al.,)	Case No.: 10-CV-01189-LHK
)	
Plaintiffs,)	
v.)	CASE MANAGEMENT ORDER
)	
A PERFECT DAY FRANCHISE, INC., et al.,)	
)	
Defendant.)	
)	
)	

Clerk: Martha Parker Brown	Plaintiffs' Attorneys: Monique Olivier, Shaana Rahman
Reporter: Summer Fisher	Defendant Tom Schriner's Attorney: Lee Sheldon, Richard
Length of hearing:	Wahng, and John Engers
	Defendants Perfect Day, Minjian, Tailiang Li, Jin Qiu, Huan
	Zou, and Jun Ma: Failed to Appear.

A pre-trial conference was held on April 2, 2012. Trial is set for April 3, 2012 at 9:00 p.m.

ANTICIPATED SANCTIONS: The parties indicated at the conference that one of the terms of the agreement between Plaintiffs and Tom Schriner was that Plaintiffs agreed not to attempt to collect the Court's anticipated sanction order against Tom Schriner. This term did not appear in the parties' memorandum of understanding. The parties should revise the settlement agreement if they intend for this term to be a part of their final settlement agreement.

ORDERED SANCTIONS: The parties cannot alter this Court's previous order from March 27, 2012, sanctioning all Defendants, jointly and severally, \$4000 for repeated failures to publish the class notice in Chinese language newspapers.

The following orders were made on the record at the conference:

SETTLEMENT AGREEMENT: The parties shall prepare and finalize the settlement agreement discussed on the record during the case management conference. The parties shall return tomorrow, April 3, 2012 at 9:00 a.m., with a finalized settlement agreement executed by Plaintiffs, Tom Schriner, Martha Schriner, and Huan Zou. The parties shall incorporate all of the changes discussed on the record into the final settlement agreement.

LEE SHELDON was ordered to file the e-mail that he received from Huan Zou, in which Zou consented to allow the Schriners to assign their interest in the stock purchase agreement to Plaintiffs. Mr. Sheldon was ordered to file the e-mail by tonight.

RICHARD WAHNG was ordered to remind Perfect Day, Minjian, Jun Ma, Tailiang Li, Huan Zou, and Jin Qiu ("Unrepresented Defendants") by tonight that if they do not appear for trial tomorrow, April 3, 2012 at 9:00 a.m., Plaintiffs may seek default and default judgment against them. Mr. Wahng was ordered to file a declaration by tonight, attesting that he had notified the Unrepresented Defendants regarding the trial tomorrow and detailing when he previously notified the Unrepresented Defendants of the April 2, 2012 trial date, which, on March 27, 2012, was moved to April 3, 2012.

The trial shall begin Tuesday, April 3, 2012 at 9:00 a.m.

Case No.: 10-CV-01189-LHK
CASE MANAGEMENT ORDER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: April 2, 2012



LUCY H. KOH
United States District Judge