1 K. Randolph Moore, SBN 106933 Tanya E. Moore, SBN 206683 2 MOORE LAW FIRM, P.C. 332 North Second Street 3 San Jose, California 95112 Telephone: (408) 298-2000 4 Facsimile: (408) 298-6046 5 Attorneys for Plaintiff Anthony Lerma 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 11 ANTHONY LERMA, No. 5:10-CV-04895-PSG 12 Plaintiff, JOINT REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE; 13 VS. [PROPOSED] ORDER 14 A BITE OF WYOMING, INC., et al., 15 Defendants. 16 17 18 WHEREAS, the Case Management Conference in this matter is currently set for 19 January 10, 2012; 20 WHEREAS, a mediation pursuant to General Order 56 in this matter is set for January 21 11, 2012; 22 WHEREAS, Plaintiff Anthony Lerma ("Plaintiff") and Defendants A Bite of 23 Wyoming ("Bite of Wyoming"), S. Max Spurgeon and Esperanza Spurgeon, Trustees of the 24 Spurgeon Living Trust ("Spurgeons") (Defendants Bite of Wyoming and Spurgeons are 25 collectively referred to as "Defendants" and, together with Plaintiff, the "Parties") believe that 26 both Court resources and attorney time and costs will be most effectively utilized if the Parties 27 are given an opportunity to settle this matter through mediation prior to attending and 28 preparing for a case management conference;

1	NOW, THEREFORE, the Parties respectfully request that the Court continue the case	
2	management conference to a date after February 10, 2012 in order to afford the Parties the	
3	opportunity to reach a settlement through mediation.	
4	Dated: December 21, 2011	MOORE LAW FIRM, P.C.
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6		/s/ Tanya E. Moore
7		Tanya E. Moore Attorneys for Plaintiff Anthony Lerma
8	Dated: December 21, 2011	BUSTAMANTE OHARA GAGLIASSO, P.C.
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10		/S/ Andrew V. Stearns Andrew V. Stearns, Attorneys for
11		Defendant A Bite of Wyoming
12		
13	Dated: December 21, 2011	HOPKINS & CARLEY
14		A Law Corporation
15		/a/Emile D. Who obvious
16		/s/ Erik P. Khoobyarian Erik P. Khoobyarian, Attorneys for
17		S. Max Spurgeon and Esperanza Spurgeon, Trustees of the Spurgeon Living Trust
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19	<u>ORDER</u>	
20	Upon request of the parties and good cause appearing, IT IS HEREBY ORDERED that the case management conference currently set fo	
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22	January 10, 2012 is continued to F	ebruary
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