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**\*E-FILED 03-30-2011\***

Attorney for Plaintiffs

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 9 Fremont, CA 94538

Attorney for Defendants

10 **UNITED STATES FEDERAL COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**

13 Saenz, et. al.,

14 Plaintiff,

15 vs.

16 Sitannand, et. al.,

17 Defendants

Case No.: 5:10-cv-05150-HRL

**STIPULATION TO CONTINUE THE  
 INITIAL CASE MANAGEMENT  
 CONFERENCE FOR 30 DAYS; and**

**~~PROPOSED~~ ORDER**

Current CMC Date and Time

Date: 4/5/2011

Time: 1:30 PM

Judge: Hon. Howard R. Lloyd

20 Parties, through counsel, submit the following stipulation to continue the initial case  
 21 management conference for three (3) weeks:

- 22
- 23 1. This is a wage and hour action in which Plaintiffs seeks recovery of unpaid  
 24 overtime, damages under the Fair Labor Standards Act, meal period premiums  
 25 and related penalties and fees.

- 1 2. This matter is currently set for an Initial Case Management Conference before this  
2 Court on 4/5/2011 at 1:30 PM in front of the Hon. Howard R. Lloyd.
- 3 3. At this time, all Defendants have been served and are prepared to participate in  
4 this defense of this action.
- 5 4. All named Defendants are currently represented by the above-named counsel.
- 6 5. Counsel for Defendants and counsel for Plaintiffs have duly conferred in  
7 preparation for the upcoming case management conference.
- 8 6. It is the opinion of defense counsel that the Defendants would be best served by  
9 attempting to resolve this matter as promptly as possible.
- 10 7. Further, parties are in agreement that the cost and expense of unnecessary  
11 litigation should be avoided if at all possible.
- 12 8. Defendants have represented that, prior to making their answer, the case may be  
13 resolved by amicable settlement.
- 14 9. Defendants, therefore have expressed desire to continue the case management  
15 conference in order to accommodate some negotiation before filing a answer.
- 16 10. Though it is early in the litigation, Plaintiffs are willing to allow for this to occur.
- 17 11. As such, the parties hereby stipulate to continue the initial CMC for 3 weeks, until  
18 Tuesday, 4/26/2010 at 1:30 PM.
- 19 12. If the parties are unable to resolve their dispute, Defendants shall file answer prior  
20 to this date and time.  
21  
22

23 Dated: March 29, 2011

24 By: /s/Adam Wang  
25 Adam Wang  
Law Office of Adam Wang  
Attorneys for Plaintiff

*M. Bajoria*

Dated: March 29, 2011

By: /s/Mahesh Kumar Bajoria  
Mahesh Kumar Bajoria  
Attorney for Defendants

~~PROPOSED~~ ORDER

**GOOD CAUSE APPEARING**, this court hereby orders that the Case Management

Conference currently set for 4/5/2011 be continued until 4/26/11 at 1:30 PM.

**The parties' joint case management statement shall be filed by April 19, 2011.**

**Each party shall file a consent or declination to proceed before a United States Magistrate Judge by April 19, 2011.**

Dated: March 30, 2011

By:   
Hon. Howard R. Eby  
CA Northern District Magistrate Judge