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23 OCB RESTAURANT COMPANY, LLC

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 SAN JOSE DIVISION

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19 HECTOR FLORES,  
20 Plaintiff,  
21 vs.  
22 OCB RESTAURANT COMPANY, LLC., and  
23 DOES 1 through 10, inclusive,  
24 Defendants.

25 Case No. 5:11-CV-02091-HRL

26 **STIPULATION AND [PROPOSED]  
27 ORDER CONTINUING INITIAL CASE  
28 MANAGEMENT CONFERENCE**

29 Action Filed: March 24, 2011  
30 Trial Date: None Set

31 Case No. 5:11-CV-02091-HRL

32 **STIPULATION AND [PROPOSED] ORDER CONTINUING  
33 INITIAL CASE MANAGEMENT CONFERENCE**

## **STIPULATION**

**IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff Hector Flores (“Plaintiff”) and his attorney of record Polaris Law Group, LLP, by William L. Marder, and Defendant OCB Restaurant Company, LLC (“Defendant”), by its attorneys of record Ogletree, Deakins, Nash, Smoak & Stewart, P.C., by Gregory C. Cheng, that the following Stipulation may be entered as an Order by the Court to give effect to the stipulations set forth below:

1. **WHEREAS**, the current initial case management conference has been scheduled for September 27, 2011;

2. **WHEREAS**, counsel for Defendant, Gregory C. Cheng, has a mediation scheduled for September 27, 2011, in the case *Swanson v. GMR Marketing, LLC, et al.*, Contra Costa Superior Court Case No. MSC 11-00261 (“Swanson”);

3.       **WHEREAS**, the Swanson mediation is scheduled and will take the full day on September, 27, 2011. Because the required deposit has been paid and travel arrangements have been made by all parties in the Swanson mediation, counsel for Defendant is unable to reschedule the mediation;

4. **WHEREAS**, the next available date for both parties to attend the initial case management conference is on October 4, 2011, or any date thereafter (except October 18 or 25, 2011); and

5. **WHEREAS**, good cause exists to continue the initial case management conference to October 4, 2011, or a date thereafter convenient for the Court.

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1           **NOW, THEREFORE**, the Parties, through their respective counsel of record **AGREE**  
2 **AND HEREBY STIPULATE** for an Order continuing the initial case management conference  
3 from September 27, 2011 to October 4, 2011, or any date thereafter convenient for the Court  
4 (except October 18 or 25, 2011).

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6 DATED: August 25, 2011

POLARIS LAW GROUP

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9           By: /s/  
10 WILLIAM L. MARDER  
11 Attorney for Plaintiff HECTOR FLORES

12 DATED: August 25, 2011

13  
14 OGLETREE, DEAKINS, NASH, SMOAK &  
15 STEWART, P.C.

16  
17           By: /s/  
18 MARY E. WRIGHT  
19 GREGORY C. CHENG  
20 JILL V. CARTWRIGHT  
21 Attorneys for Defendant OCB RESTAURANT  
22 COMPANY, LLC

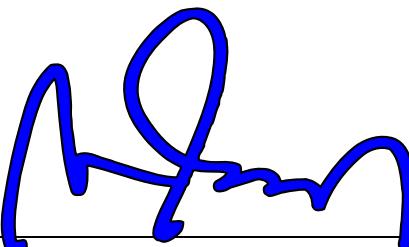
23           **ORDER**

24           **GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED** that the  
25 initial case management conference is continued from September 27, 2011 to  
26 October 4, 2011.

27           **IT IS SO ORDERED.**

28 DATED: 8/26/2011

By: \_\_\_\_\_

  
Honorable Howard R. Lloyd  
United States Magistrate Court Judge