

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
 Alma Clarisa Hernandez
 6
 7
 8

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 ALMA CLARISA HERNANDEZ,

12 Plaintiff,

13 vs.

14 MUS-VIL, INC., et al.,

15 Defendants.
 16

No. 5:11-CV-02249-PSG

17 **JOINT REQUEST TO VACATE CASE**
MANAGEMENT CONFERENCE;
~~18 [PROPOSED] ORDER~~

17 **WHEREAS**, a Case Management Conference in this matter is currently set for January
 18 17, 2012;

19 **WHEREAS**, the Parties conducted site inspections within the time required by this
 20 Court's Scheduling Order and subsequent stipulation and order;

21 **WHEREAS**, Plaintiff filed a Notice of Need for Mediation on September 26, 2011;

22 **WHEREAS**, a mediator was appointed on October 26, 2011. The pre-mediation call
 23 has taken place and mediation is set for February 14, 2012;

24 **WHEREAS**, Plaintiff Alma Clarisa Hernandez ("Plaintiff") and remaining Defendants
 25 Mus-Vil, Inc. and Radio Shack Corporation ("Defendants" and, together with Plaintiff, the
 26 "Parties") believe that both Court resources and attorney time and costs will be most
 27 effectively utilized if the Parties are given an opportunity to settle this matter through
 28 mediation prior to attending and preparing for the case management conference;

REQUEST TO VACATE CASE MANAGEMENT CONFERENCE; ~~PROPOSED~~ ORDER

WHEREAS, General Order 56, Paragraph 7 provides that if the matter does not settle at mediation, Plaintiff is required to file a request for administrative relief requesting a case management conference;

NOW, THEREFORE, the Parties respectfully request that the Court vacate the Case Management Conference in order to afford the Parties the opportunity to reach a settlement through mediation, and to permit Plaintiff to file a request for administrative relief requesting a case management conference if necessary should the matter not settle at mediation.

Dated: January 5, 2012

MOORE LAW FIRM, P.C.

/s/ Tanya E. Moore

Tanya E. Moore,
Attorneys for Plaintiff Alma Clarisa Hernandez

Dated: January 5, 2012

WEINTRAUB GENSHLEA CHEDIAK

/s/ Alden J. Parker

Alden J. Parker,
Attorneys for Radio Shack Corporation

Dated: January 3, 2012

LAW OFFICES OF OWEN J. SINGER

/s/ Masumi Molina

Masumi Molina,
Attorneys for Mus-Vil, Inc.

ORDER

Upon request of the parties and good cause appearing,

IT IS HEREBY ORDERED that the case management conference currently set for _1/17/12_ is vacated. Plaintiff is ordered to file a request for administrative relief requesting a case management conference within seven (7) days after the mediator files a certification of mediation stating that the matter has not resolved, if in fact the matter does not resolve at mediation.

IT IS SO ORDERED.

Dated: January 10, 2012

Paul S. Gend
United States Magistrate Judge