

** E-filed October 19, 2011 **

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13 APPAREL, LLC (improperly named as
ARAMARK UNIFORM AND CAREER
14 APPAREL, INC.) and BILL PACHECO

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Attorneys for Defendants INTERNATIONAL
BROTHERHOOD OF TEAMSTERS, LOCAL
853, MICHAEL AMARAL, and ROME
ALOISE

15 UNITED STATES DISTRICT COURT
16
17 NORTHERN DISTRICT OF CALIFORNIA
18
19 SAN JOSE DIVISION

20 DANIEL SULLIVAN,
Plaintiff,

21 vs.

22 ARAMARK UNIFORM AND CAREER
23 APPAREL, INC.; BILL PACHECO;
INTERNATIONAL BROTHERHOOD OF
24 TEAMSTERS, LOCAL 853; MICHAEL
AMARAL; ROME ALOISE, and DOES 1
25 to 10, inclusive,

26 Defendants.

Case No. C 11-02973 HRL

**JOINT STIPULATION; DECLARATION;
AND ~~PROPOSED~~ ORDER CONTINUING
CASE MANAGEMENT CONFERENCE**

Date: October 25, 2011
Time: 1:30 p.m.
Courtroom: 2
Judge: Hon. Howard R. Lloyd

Date of Filing: March 9, 2011

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JOINT STIPULATION; DECLARATION; AND
~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT CONFERENCE
(CASE NO. C 11-02973 HRL)

1 Pursuant to Northern District Civil Local Rules 6-2(a) and 7-12 , Plaintiff Daniel Sullivan
2 (“Plaintiff”) and Defendants ARAMARK Uniform & Career Apparel, LLC (“AUCA”) (sued as
3 ARAMARK Uniform and Career Apparel, Inc.), Bill Pacheco, International Brotherhood of
4 Teamsters, Local 853, Michael Amaral, and Rome Aloise (collectively, “Defendants”) (Plaintiff
5 and Defendants are referred to as the “Parties” herein), by and through their respective counsel,
6 stipulate and agree to the following:

7 WHEREAS, on September 16, 2011, the Union and ARAMARK defendants each filed
8 motions to dismiss Plaintiff’s First Amended Complaint;

9 WHEREAS, Defendants’ motions to dismiss are set for hearing on November 8, 2011;

10 WHEREAS, this Court has scheduled this matter for an initial Case Management
11 Conference on Tuesday, October 25, 2011, at 1:30 p.m.;

12 WHEREAS, given the pending motions to dismiss, conducting the initial Case
13 Management Conference prior to the Court’s ruling on such motions would result in judicial
14 inefficiency and create an unnecessary drain on the time and resources of both the Court and the
15 Parties. As a result, the Parties agree and respectfully request that the initial Case Management
16 Conference be continued to a date no earlier than November 29, 2011, in order to allow sufficient
17 time for the Court to rule on Defendants’ respective motions and for the Parties to evaluate their
18 positions following the Court’s ruling. No prior extensions of time have been requested;

19 WHEREAS, the Parties request that the deadline for filing of their Joint Case
20 Management Conference Statement be continued to seven (7) days before the date of the
21 continued initial Case Management Conference;

22 THEREFORE, IT IS HEREBY STIPULATED by and between the Parties that the initial
23 Case Management Conference be continued to a date no earlier than November 29, 2011, at 1:30
24 p.m., and the deadline for the filing of the Joint Rule 26(f) Report will be continued until seven
25 (7) days prior to the date of the continued Case Management Conference. Filed concurrently
26 herewith is the Declaration of Kathryn Dancisak in support of this Stipulation, in compliance with
27 and pursuant to Civil Local Rule 6-2(a).

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Dated: October 12, 2011

LAW OFFICE OF LARRY A. PETERSON

By: _____
Larry A. Peterson
Attorney for Plaintiff
DANIEL SULLIVAN

Dated: October 12, 2011

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Kathryn M. Dancisak
Kathryn M. Dancisak
Attorneys for Defendants
ARAMARK UNIFORM & CAREER
APPAREL, LLC and BILL PACHECO

Dated: October 12, 2011

BEESON, TAYER & BODINE

By: /s/ Andrew H. Baker
Andrew H. Baker
Attorneys for Defendants
INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 853,
MICHAEL AMARAL, and ROME
ALOISE

DECLARATION

I, Kathryn M. Dancisak declare under penalty of perjury as follows:

1. I am an associate at the law firm of Morgan, Lewis & Bockius LLP, attorneys for Defendants ARAMARK Uniform & Career Apparel, LLC (“AUCA”) (sued as ARAMARK Uniform and Career Apparel, Inc.) and Bill Pacheco in this action. I am licensed to practice law in the State of California and have been admitted to practice in the Northern District of California. I have direct and personal knowledge of the facts set forth in this declaration, and, if called as a witness, I could and would competently testify to these facts.

2. The reason for the requested continuance of the initial Case Management Conference is to promote judicial efficiency and conserve the time and resources of both the Court and the Parties in light of the pending motions to dismiss the First Amended Complaint.

3. The Court previously continued the initial Case Management Conference until October 25, 2011 by Notice of the Clerk after the Court dismissed Plaintiff’s Complaint.

4. After Plaintiff filed a First Amended Complaint, Defendants filed motions to dismiss the First Amended Complaint, which are noticed for hearing on November 8, 2011.

5. I have met and conferred with counsel for all Parties and we agreed to stipulate to continue the Case Management Conference to a date no earlier than November 29, 2011. This will allow sufficient time for the Court to rule on Defendants’ respective motions and for the Parties to evaluate their positions following the Court’s ruling.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 12th day of October 2011 at San Francisco, California.

/s/ Kathryn M. Dancisak
Kathryn M. Dancisak

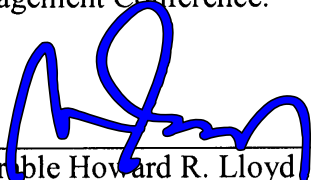
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The initial Case Management Conference in this matter is continued to
December 13, 2011 . A joint case management conference statement
must be filed seven (7) days prior to the Case Management Conference.

Dated: **October 19** , 2011



Honorable Howard R. Lloyd
United States Magistrate Judge

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C11-02973 HRL Notice will be electronically mailed to:

| | |
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