

1 Harry S. Stern (State Bar No. 176854)
 2 Peter A. Hoffmann (State Bar No. 254354)
 3 RAINS LUCIA STERN, PC
 4 2300 Contra Costa Blvd., Suite 500
 5 Pleasant Hill, California 94523
 6 Tel: (925) 609-1699
 7 Fax: (925) 609-1690
 8 Email: hstern@rlslawyers.com
 9 Email: phoffmann@rlslawyers.com

10 Joshua Konecky (State Bar No. 182897)
 11 jkonecky@schneiderwallace.com
 12 SCHNEIDER WALLACE
 13 COTTRELL KONECKY LLP
 14 180 Montgomery Street, Suite 2000
 15 San Francisco, CA 94104
 16 Telephone: (415) 421-7100

17 ATTORNEYS FOR PLAINTIFFS

18 CHARLES J. McKEE (SBN 152458)
 19 County Counsel
 20 JANET L. HOLMES (SBN 107639)
 21 Deputy County Counsel
 22 Office of the County Counsel
 23 County of Monterey
 24 168 W. Alisal Street, Third Floor
 25 Salinas, California 93901-2653
 26 Telephone: (831) 755-5045
 27 Facsimile: (831) 755-5283
 28 E-Mail: HolmesJL@co.monterey.ca.us

ATTORNEYS FOR DEFENDANT,
COUNTY OF MONTEREY

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**

16 DAWN ALLEN, JEFF BOLES, ROGER
 17 MCRAE, on behalf of themselves and all others
 18 similarly situated,

19 Plaintiffs,

20 v.

21 COUNTY OF MONTEREY, and DOES 1-50.

22 Defendants.

Case No. CV 13-01659LHK

23 **JOINT CASE MANAGEMENT**
 24 **STATEMENT, NOTICE OF PENDING**
 25 **SETTLEMENT, REQUEST FOR**
 26 **CONTINUANCE AND [PROPOSED]**
 27 **ORDER**

[Fed. R. Civ. P. 26(f), Civ.L.R. 16-9]

28 Conference Date: March 20, 2014
 Time: 2:00 p.m.
 Place: Courtroom 8, 4th Floor
 The Honorable Lucy H. Koh

1 The parties to the above-entitled action jointly submit this Case Management Statement, Notice
2 of Pending Settlement, Request for Continuance and Proposed Order.

3 This is an action under the Fair Labor Standards Act alleging that Defendant County of
4 Monterey failed to accurately calculate and pay all overtime due to probation officers and juvenile
5 institution officers. The parties' previous Joint Case Management Conference Statement [doc 29]
6 provides an overview of the claims and issues raised by the case.

7 Since the last Case Management Conference of October 30, 2013, the parties have reached a
8 comprehensive settlement through the assistance of the Court appointed mediator, Allen R. Berkowitz.
9 Counsel has completed drafting the formal settlement documents, which are now with the parties for
10 their final review and signature. As part of the settlement, the parties have stipulated to the filing of an
11 amended complaint that will align the claims in the operative pleadings with the claims addressed by the
12 settlement. The parties will then request that the amended complaint be dismissed upon review of the
13 settlement agreement by the Court. Although this is not a class action subject to FRCP 23(e), the parties
14 intend to file a complete copy of the entire settlement agreement along with the stipulated amended
15 complaint and request for dismissal, once the settlement agreement has been signed by all parties.

16 Counsel anticipate that the settlement documentation will be finalized within fourteen (14)
17 days of the submission of this case management conference statement and request that the Court
18 continue the case management conference for fourteen (14) or more days to facilitate this process.

19 Respectfully submitted,

20
21 DATED: March 13, 2014

21 By: _____ /s/
22 Joshua Konecky
23 Attorneys for Plaintiffs

24
25 DATED: March 13, 2014

25 By: _____ /s/
26 Janet Holmes, Deputy County Counsel
27 Attorneys for Defendant, County of Monterey

CASE MANAGEMENT ORDER

To permit the parties to finalize and file settlement documents, the Case Management Conference set for March 20, 2014 is hereby continued to **May 7, 2014 at 2p.m.**

IT IS SO ORDERED.

Dated: **3/14/2014**



THE HONORABLE LUCY H. KOH
UNITED STATES DISTRICT JUDGE

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