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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**

16 SAN FRANCISCO BAYKEEPER, a non-
17 profit corporation,

18 Plaintiff,

19 vs.

20 CITY OF SUNNYVALE, BAY COUNTIES
21 WASTE SERVICES, Inc., and STEVENS
22 CREEK QUARRY, Inc.,

23 Defendants.

Case No. C-13-2425-HRL

**REQUEST TO RESCHEDULE THE CASE
MANAGEMENT CONFERENCE AND
~~PROPOSED~~ ORDER**

Judge: Hon. Howard R. Lloyd

24 WHEREAS, on May 29, 2013, Plaintiff San Francisco Baykeeper filed the above-entitled
25 complaint;

26 WHEREAS, on September 6, 2013 Plaintiff served Defendant City of Sunnyvale with the
27 complaint and requested a waiver of service of summons;

28 WHEREAS, Defendant has until October 6, 2013 to respond to the waiver of service of
summons and has not done so to date;

WHEREAS, Plaintiff and Defendant (collectively referred to as the "Parties") are continuing
to engage in settlement negotiations and anticipate reaching a settlement within the next month to

1 avoid the need for litigation;

2 WHEREAS, the Initial Case Management Conference is scheduled for October 8, 2013, at
3 1:30 pm;

4 WHEREAS, the Scheduling Order states that if the Initial Case Management Conference is
5 continued, the other deadlines are continued accordingly;

6 WHEREAS, Plaintiff requests, upon the Court's approval, to reschedule the Case
7 Management Conference for November 12, 2013, at 1:30 pm, or at such later date that is convenient
8 for the Court, in order to give the Parties a chance to complete settlement negotiations without
9 involving the resources of the Court;

10 WHEREAS, Plaintiff requests, upon the Court's approval, to reschedule the deadlines to file
11 an ADR Certification and to file a Rule 26(f) Report to align with the new proposed Case
12 Management Conference date;

13 WHEREFORE, Plaintiff respectfully requests the Court to approve and enter the Proposed
14 Order below.

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16 Dated: September 30, 2013

17 Respectfully submitted,
18 SAN FRANCISCO BAYKEEPER

19 By: /s/ Sejal Choksi-Chugh
20 Sejal Choksi-Chugh
21 Attorney for Plaintiff
22 SAN FRANCISCO BAYKEEPER
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~~PROPOSED~~ ORDER

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IT IS HEREBY ORDERED that the Case Management Conference set for October 8, 2013, is rescheduled for November 12, 2013, or such later date that is convenient for the Court, and all associated deadlines be moved accordingly.

IT IS SO ORDERED.

NORTHERN DISTRICT COURT OF CALIFORNIA



Dated: October 8, 2013

United States Magistrate Judge
Howard R. Lloyd