

E-FILED: August 19, 2013

Jayni Foley Hein (Bar No. 258261)
Sejal Choksi-Chugh (Bar No. 222093)
SAN FRANCISCO BAYKEEPER
785 Market Street, Suite 850
San Francisco, California 94103
Telephone: (415) 856-0444
Facsimile: (415) 856-0443
Email: jayni@baykeeper.org
Email: sejal@baykeeper.org

Attorneys for Plaintiff
SAN FRANCISCO BAYKEEPER

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

SAN FRANCISCO BAYKEEPER, a non-
profit corporation,

Plaintiff,

vs.

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

Defendants.

Case No. C-13-2425-HRL

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

Judge: Hon. Howard R. Lloyd

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

WHEREAS, Plaintiff's deadline to serve the complaint is September 26, 2013, pursuant to Fed. Rule. Civ. P. 4(m);

WHEREAS, Plaintiff has thus far refrained from serving the complaint while Plaintiff and Defendant City of Sunnyvale (collectively referred to as the "Parties") have worked together to reach a settlement agreement that would avoid the need for litigation;

WHEREAS, the Parties are continuing to engage in settlement negotiations and hope to reach a settlement within the next two months.

WHEREAS, the Initial Case Management Conference is scheduled for September 3, 2013, at

1 1:30 pm;

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

4 WHEREAS, Plaintiff requests, upon the Court's approval, to reschedule the Case
5 Management Conference for October 3, 2013, at 1:30 pm, or at such later date that is convenient for
6 the Court, in order to give the Parties a chance to complete settlement negotiations without involving
7 the resources of the Court;

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

11 WHEREFORE, Plaintiff respectfully requests the Court to approve and enter the Proposed
12 Order below.

13
14 Dated: August 13, 2013

15 Respectfully submitted,

16 SAN FRANCISCO BAYKEEPER

17 By: /s/ Sejal Choksi-Chugh
18 Sejal Choksi-Chugh
19 Attorney for Plaintiff
20 SAN FRANCISCO BAYKEEPER
21
22
23
24
25
26
27
28


~~[PROPOSED]~~ ORDER

IT IS HEREBY ORDERED that the Case Management Conference set for September 3, 2013, is rescheduled for October ⁸ 8, 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: August 19, 2013



United States Magistrate Judge
HOWARD R. LLOYD