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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MAURIZIO ANTONINETTI, et al.,
Plaintiff,
vs.
CHIPTOLE MEXICAN GRILL, INC. ,
Defendant.

CASE NO. 06cv2671-J (WMc)
ORDER FOLLOWING EARLY
NEUTRAL EVALUATION
CONFERENCE, SETTING RULE 26
COMPLIANCE AND NOTICE OF
CASE MANAGEMENT
CONFERENCE

On April 16, 2007, the Court convened a telephonic Early Neutral Evaluation Conference in the above entitled action. Appearing for Plaintiff was Amy Vandeveld, Esq. Appearing for Defendant was Stacey Herter, Esq .

Settlement could not be reached in the case at this time.

The Court discussed compliance with Fed. R. Civ. P. 26 and based thereon, issues the following orders:

1. Discovery from related case 05cv1660-J may be used in the current case. Counsel should not attempt to make over any discovery available from the related case.
2. The Rule 26(f) conference shall be completed before **May 11, 2007** ;
3. A discovery plan shall be lodged with Magistrate Judge McCurine, Jr. on or before **May 21, 2007**. Regarding each witness, the discovery plan will include the name, most current address, most current phone number, and a brief description of the subject

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matter of his/her testimony. The discovery plan will also include the anticipated dates for the completion of both non-expert discovery and expert discovery; and,

4. The date of initial disclosure pursuant to Rule 26(a)(1)(A-D) shall occur before **May 29, 2007**;
5. **COUNSEL AND PARTIES** with full settlement authority are ordered to appear *on June 7, 2007* at 2:00 p.m. in the chambers of United States Magistrate Judge William McCurine, Jr., 940 Front Street, Courtroom C, San Diego, California, 92101, for a Case Management Conference pursuant to Federal Rule of Civil Procedure 16(b) **Full authority to settle means that the individual present at the settlement conference has the unfettered discretion and authority to: 1) fully explore settlement options and to agree at that time to any settlement options; 2) agree at that time to any settlement terms acceptable to the parties; 3) change the settlement position of a party; and 4) negotiate monetary awards without being restricted to a specific sum certain.**

Failure of any counsel or party to comply with this Order will result in the imposition of sanctions.

IT IS SO ORDERED.

DATED: April 20, 2007



Hon. William McCurine, Jr.
U.S. Magistrate Judge
United States District Court

cc: Honorable Napoleon Jones
U.S. District Court

All Counsel and Parties of Record