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7 Attorneys for Defendants  
 WASTE MANAGEMENT, INC., WASTE  
 8 MANAGEMENT OF CALIFORNIA, INC., and  
 MODESTO GARBAGE CO., INC.  
 9

10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA

12 BRIAN K. MYERS, RODRIGO  
 PALAFOX BARUSTA, RAUL CAMPOS,  
 13 ALBERT FARIAS, SR., TONY T.  
 ENCINAS, GARY LEWIS, ANGEL  
 14 NAVARRO, MICHAEL NEGRETE,  
 ROBERT SANGUINETTI, GILBERTO  
 15 ZAMORA, and JAIME ZAMORA,

16 Plaintiffs,

17 v.

18 WASTE MANAGEMENT, INC., WASTE  
 MANAGEMENT OF CALIFORNIA,  
 19 INC., MODESTO GARBAGE CO., INC.,  
 and DOES 1-20, inclusive,  
 20

21 Defendants.

Case No. 1:10-CV-00560-LJO-DLB

**STIPULATION TO CONTINUE HEARING  
 ON DEFENDANTS' MOTION TO  
 DISMISS PLAINTIFFS' COMPLAINT  
 AND ORDER CONTINUING HEARING  
 ON DEFENDANTS' MOTION TO  
 DISMISS**

Date: June 24, 2010  
 Time: 8:30 a.m.  
 Courtroom: 4, Seventh Floor  
 Judge: Hon. Lawrence J. O'Neill

Case Removed: March 31, 2010

1 Pursuant to Rules 143 and 230(f) of the Court's local rules, the parties hereby request  
2 through their respective counsel of record that the following events be continued to the proposed  
3 dates in order to further facilitate the parties' efforts to resolve their dispute:

4 1. The hearing on Defendants' Motion to Dismiss Plaintiffs' Complaint, which is  
5 currently scheduled for June 24, 2010, be continued until July 22, 2010;

6 2. The briefing schedule for Plaintiffs' Opposition to Defendants' Motion to  
7 Dismiss Plaintiffs' Complaint and Defendants' Reply Brief in support of the Motion to Dismiss be  
8 continued commensurately with the new hearing date in a manner consistent with Local Rules  
9 230(c) and 230(d).

10 **IT IS STIPULATED.**

11  
12 Dated: June 3, 2010

13 /s/ Jason Rabinowitz  
14 JASON RABINOWITZ  
BEESON TAYER & BODINE

15 Attorneys for Plaintiffs  
16 BRIAN K. MYERS, RODRIGO PALAFOX  
17 BARUSTA, RAUL CAMPOS, ALBERT FARIAS,  
18 SR., TONY T. ENCINAS, GARY LEWIS, ANGEL  
NAVARRO, MICHAEL NEGRETE, ROBERT  
SANGUINETTI, GILBERTO ZAMORA, and  
JAIME ZAMORA

19 Dated: June 3, 2010

20 /s/ Michael G. Pedhirney  
21 RONALD J. HOLLAND  
22 MICHAEL G. PEDHIRNEY  
LITTLER MENDELSON  
A Professional Corporation

23 Attorneys for Defendants  
24 WASTE MANAGEMENT, INC., WASTE  
25 MANAGEMENT OF CALIFORNIA, INC., and  
26 MODESTO GARBAGE CO., INC.

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**IT IS SO ORDERED.**

Dated: June 4, 2010

/s/ Lawrence J. O'Neill  
THE HONORABLE LAWRENCE J.,  
O'NEILL  
UNITED STATES DISTRICT JUDGE

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