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7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA  
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10 AMIE HOLAK, individually, and on behalf of  
11 all others member of the general public  
similarly situated,

12 Plaintiff,

13 vs.

14 KMART CORPORATION, a Michigan  
15 corporation, *et al.*,

16 Defendants.

No. 1:12-CV-00304-AWI-MJS

**ORDER GRANTING JOINT STIPULATION TO  
CONTINUE FURTHER SCHEDULING  
CONFERENCE PENDING RULINGS ON  
DISPOSITIVE MOTIONS**

Complaint filed: January 23, 2012

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Attorneys for Defendant Kmart Corporation

1 On the stipulation of the parties, and good cause appearing therefor,

2 IT IS ORDERED that the further scheduling conference set for May 8, 2015, be vacated pending  
3 Judge Ishii's rulings on defendant Kmart Corporation's pending motions for partial summary judgment  
4 (ECF 149) and to strike plaintiff's representative claim for civil penalties under the California Labor  
5 Code Private Attorneys General Act ("PAGA"), Cal. Lab. Code § 2698 *et seq.* (ECF 140).

6 IT IS FURTHER ORDERED that the parties shall submit their availability for a further  
7 scheduling conference within seven days after Judge Ishii finishes ruling on Kmart's pending motions.  
8 After the Court receives the parties' availability, the Court will set the further scheduling conference and  
9 order that the parties file a joint scheduling conference report seven days before the conference.

10 IT IS SO ORDERED.

11 Dated: May 4, 2015

12 /s/ Michael J. Seng  
13 UNITED STATES MAGISTRATE JUDGE  
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