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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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

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

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

IT IS SO ORDERED.

Dated: May 4, 2015

181 Michael J. Seng

UNITED STATES MAGISTRATE JUDGE