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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DELORES HUMES, an individual,
DIANE ABELLA, an individual, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

FIRST STUDENT, INC., an entity and
DOES 1 – 100, inclusive,

Defendants.

Case No. 1:15-cv-01861-BAM

*[Assigned to the Hon. Barbara A. McAuliffe,
Courtroom 8]*

**JOINT STIPULATION TO
CONTINUE MOTION FOR CLASS
CERTIFICATION DEADLINE;
ORDER**

Complaint Filed: October 28, 2015

Removal Date: December 11, 2015

TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:

Plaintiffs DELORES HUMES and DIANE ABELLA, on behalf of the putative class (“Plaintiffs”), and Defendant FIRST STUDENT, INC. (“Defendant”), collectively “the Parties,” by and through their counsel of record, HEREBY STIPULATE AND AGREE to a continuance of the deadline for Plaintiff’s Motion for Class Certification (“motion”) and related briefing schedule, as follows:

WHEREAS, on March 18, 2016, the Court issued a Preliminary Scheduling Order setting forth the briefing schedule for Plaintiffs’ forthcoming motion for class certification;

WHEREAS, the Parties are actively engaged in the discovery process, and in particular, are in the midst of scheduling depositions and meeting and conferring as to various document production issues;

WHEREAS, Plaintiffs’ motion for class certification is presently due to be filed on September 2, 2016;

WHEREAS, Plaintiffs need additional time to complete discovery necessary for a motion for class certification;

1 WHEREAS, Defendant has filed a motion for summary judgment that is presently set to
2 be heard on October 7, 2016, at 9:00 a.m., in courtroom 8;

3 WHEREAS, the Parties would like to resolve the class period tolling issue raised by
4 Defendant's motion for summary judgment before litigating Plaintiffs' forthcoming motion for
5 class certification;

6 WHEREAS, no previous extensions have been sought;

7 WHEREAS, no trial date has been set;

8 WHEREAS, this Stipulation will promote judicial economy and is in the interests of the
9 Parties;

10 The Parties accordingly request that the briefing scheduling and hearing date for Plaintiffs'
11 forthcoming motion for class certification be modified as follows:

12 Class Certification Motion Filing Deadline: November 18, 2016

13 Class Certification Opposition: January 18, 2017

14 Class Certification Reply: April 7, 2017

15 Class Certification Discovery Cutoff: April 7, 2017

16 Class Certification Hearing: April 28, 2017
17 Time: 9:00 a.m.
18 Dept: 8 (BAM)

19 IT IS SO STIPULATED.

20 DATED: August 17, 2016

LAW OFFICES OF THOMAS W. FALVEY
THE GILLAM LAW FIRM

21 By: /s/Michael H. Boyamian (as authorized
22 on 8/17/2016)
23 THOMAS W. FALVEY
24 MICHAEL H. BOYAMIAN
25 ARMAND R. KIZIRIAN
26 CAROL L. GILLAM
27 SARA HEUM
28 Attorney for Plaintiffs DELORES HUMES and
DIANE ABELLA, individually and on behalf of all
others similarly situated

DATED: August 17, 2016

LITTLER MENDELSON, P.C.

By: /s/David J. Dow (as authorized on 8/17/2016)

1 THEODORE R. SCOTT
2 DAVID J. DOW
3 O. MISHELL P. TAYLOR
4 HEATHER L. SHOOK
Attorneys for Defendant
FIRST STUDENT, INC.

5 **ORDER**

6 The Court, having considered the parties' Stipulation to Continue the Class Certification
7 Deadlines, finds that good cause exists to continue the motion for class certification and related
8 filings to the following dates:

9 Class Certification Motion Filing Deadline: November 18, 2016

10 Class Certification Opposition: January 18, 2017

11 Class Certification Reply: April 7, 2017

12 Class Certification Discovery Cutoff: April 7, 2017

13 Class Certification Hearing: May 5, 2017
14 Time: 9:00 a.m.
Dept: 8 (BAM)

15 IT IS SO ORDERED.

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17 Dated: August 19, 2016

18 /s/ Barbara A. McAuliffe
19 UNITED STATES MAGISTRATE JUDGE
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