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26 FIRST STUDENT, INC.

27 *(Additional Counsel Listed on Following Page)*

28 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;
[PROPOSED] ORDER**

Complaint Filed: October 28, 2015

Removal Date: December 11, 2015

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FIRST STUDENT, INC.

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

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

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

10 WHEREAS, on August 17, 2016, the Parties stipulated to a revised briefing
11 schedule regarding Plaintiffs’ forthcoming motion for class certification, and the
12 Court entered an Order adopting said revised briefing schedule on August 19, 2016;

13 WHEREAS, Plaintiffs served a First Set of Request for Production of
14 Documents on May 6, 2016;

15 WHEREAS, Defendant responded to Plaintiffs’ First Set of Request for
16 Production for Documents on June 23, 2016;

17 WHEREAS, Plaintiffs sent a meet and confer letter concerning Defendant’s
18 responses to Plaintiffs’ First Set of Production for Documents on August 1, 2016;

19 WHEREAS, Plaintiffs and Defendant then conferred a number of times
20 regarding what documents Defendant would ultimately produce;

21 WHEREAS, Defendant informed Plaintiffs on October 12, 2016, that 37
22 bankers boxes of documents responsive to Plaintiff’s First Set of Request for
23 Production of Documents would be made available at an off-site facility in
24 Hayward, California, beginning on October 24, 2016;

25 WHEREAS, Plaintiffs are in the process of engaging a copier and planning an
26 inspection date(s) for the documents at the Hayward facility;

27 WHEREAS, Plaintiffs intend to use the documents at the Hayward facility as
28 part of their prove-up for the motion for class certification;

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WHEREAS, Plaintiffs' present deadline to move for class certification is November 18, 2016;

WHEREAS, Plaintiffs will require additional time between the document inspection date and the class certification motion deadline in order to meaningfully incorporate the information gleaned from said documents into their moving papers;

WHEREAS, no trial date has been set;

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

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

3 Class Certification Motion Filing Deadline: December 23, 2016

4 Class Certification Opposition: February 24, 2017

5 Class Certification Reply: May 19, 2017

6 Class Certification Discovery Cutoff: May 19, 2017

7 Class Certification Hearing: June 9, 2017

8 Time: 9:00 a.m.

9 Dept: 8 (BAM)

10 IT IS SO STIPULATED.

11 DATED: October 31, 2016

LAW OFFICES OF THOMAS W. FALVEY
THE GILLAM LAW FIRM

12 By: [see separate attachment, L.R. 131(e)]

13 THOMAS W. FALVEY
14 MICHAEL H. BOYAMIAN
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16 CAROL L. GILLAM
17 SARA HEUM

Attorney for Plaintiffs DELORES HUMES
and DIANE ABELLA, individually and on
behalf of all others similarly situated

18 DATED: October 31, 2016

LITTLER MENDELSON, P.C.

19 By: [see separate attachment, L.R. 131(e)]

20 THEODORE R. SCOTT
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24 Attorneys for Defendant
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[PROPOSED] ORDER

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

Class Certification Motion Filing Deadline: December 23, 2016
Class Certification Opposition: February 24, 2017
Class Certification Reply: May 19, 2017
Class Certification Discovery Cutoff: May 19, 2017
Class Certification Hearing: June 9, 2017
Time: 9:00 a.m.
Dept: 8 (BAM)

IT IS SO ORDERED.

Dated: November 1, 2016

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE