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26 FIRST STUDENT, INC.

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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 DEADLINES;
ORDER**

Complaint Filed: October 28, 2015

Removal Date: December 11, 2015

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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 December 23, 2016, Plaintiffs filed their Motion for Class Certification; and

WHEREAS, since Plaintiffs filed their Motion for Class Certification the parties have been diligently working to schedule depositions for Plaintiffs and putative class members who submitted declarations in support of Plaintiffs’ Motion for Class Certification; and

WHEREAS, Defendant must complete those depositions in order to fully and adequately respond to Plaintiffs’ Motion for Class Certification; and

WHEREAS, those depositions are scheduled for completion the week of February 20, 2017;

WHEREAS, after completing those depositions, Defendant will require additional time to obtain copies of the transcripts and prepare its opposition to the Motion for Class Certification;

WHEREAS, the depositions will not be completed in sufficient time for Defendant to be able to prepare and file its Opposition to the Motion for Class Certification by the current deadline of February 24, 2017; and

WHEREAS, the parties twice stipulated to continue the deadline for Plaintiffs to file their Motion for Class Certification in order to provide Plaintiffs sufficient time to complete discovery before filing said Motion; and

WHEREAS, no trial date has been set; and

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

3 The Parties accordingly stipulate and request that the briefing scheduling and
4 hearing date for Plaintiffs' Motion for Class Certification be modified as follows:

- 5 Class Certification Opposition: March 24, 2017
- 6 Class Certification Reply: June 15, 2017
- 7 Class Certification Discovery Cutoff: June 15, 2017
- 8 Class Certification Hearing: July 7, 2017
- 9 Time: 9:00 a.m.
- 10 Dept: 8 (BAM)

11 IT IS SO STIPULATED.

12 DATED: February 21, 2017

LAW OFFICES OF THOMAS W.
FALVEY
THE GILLAM LAW FIRM

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By: /s/ Michael Boyamian (as authorized
on 2/21/17)
THOMAS W. FALVEY
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CAROL L. GILLAM
SARA HEUM
Attorney for Plaintiffs DELORES HUMES
and DIANE ABELLA, individually and on
behalf of all others similarly situated

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19 DATED: February 21, 2017

LITTLER MENDELSON, P.C.

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By: /s/ David J. Dow
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FIRST STUDENT, INC.

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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 Opposition: March 24, 2017
- Class Certification Reply: June 15, 2017
- Class Certification Discovery Cutoff: June 15, 2017
- Class Certification Hearing: July 7, 2017
Time: 9:00 a.m.
Dept: 8 (BAM)

IT IS SO ORDERED.

Dated: February 22, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE