

1 LAW OFFICES OF THOMAS W. FALVEY
2 THOMAS W. FALVEY, SBN 65744
3 thomaswfalvey@gmail.com
4 MICHAEL H. BOYAMIAN, SBN 256107
5 mike.falveylaw@gmail.com
6 ARMAND R. KIZIRIAN, SBN 293992
7 armand.falveylaw@gmail.com
8 550 North Brand Boulevard, Suite 1500
9 Glendale, California, 91203
10 Telephone: (818) 547-5200
11 Facsimile: (818) 500-9307

12 Attorneys for Plaintiffs DELORES HUMES and
13 DIANE ABELLA and the Putative Class

14 THEODORE E. SCOTT, Bar No. 108849
15 tscott@littler.com
16 DAVID J. DOW, Bar No. 179407
17 ddow@littler.com
18 O. MISHELL P. TAYLOR, Bar No. 256850
19 mtaylor@littler.com
20 LITTLER MENDELSON, P.C.
21 501 W. Broadway, Suite 900
22 San Diego, California 92101-3577
23 Telephone: 619.232.0441
24 Facsimile: 619.232.4302

25 Attorneys for Defendant
26 FIRST STUDENT, INC.

27 (Additional Counsel Listed on Following Page)

28
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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

33 Plaintiffs,

34 v.

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

37 Defendants.

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

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

41 **JOINT STIPULATION TO
42 CONTINUE MOTION FOR CLASS
43 CERTIFICATION DEADLINES;
44 ORDER**

45 Complaint Filed: October 28, 2015
46 Removal Date: December 11, 2015

1 THE GILLAM LAW FIRM
2 CAROL L. GILLAM, SBN 102354
3 carol@gillamlaw.com
4 SARA HEUM, SBN 288136
5 sara@gillamlaw.com
6 10866 Wilshire Blvd., Suite 400
7 Los Angeles, California 90024
8 Telephone: (424) 901-8372
9 Facsimile: (310) 203-9922

10 Attorneys for Plaintiffs DELORES HUMES
11 And DIANE ABELLA and the Putative Class

12 HEATHER L. SHOOK, Bar No. 268716
13 hshook@littler.com
14 LITTLER MENDELSON, P.C.
15 633 West 5th Street, 63rd Floor
16 Los Angeles, CA 90071
17 Telephone: 213.443.4300
18 Fax No.: 213.443.4299
19 Attorneys for Defendant
20 FIRST STUDENT, INC.

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

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

8 WHEREAS, on December 23, 2016, Plaintiffs filed their Motion for Class
9 Certification; and

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

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

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

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

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

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

27 WHEREAS, no trial date has been set; and

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

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

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 STIPULATED.

DATED: February 21, 2017

LAW OFFICES OF THOMAS W.
FALVEY
THE GILLAM LAW FIRM

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

DATED: February 21, 2017

LITTLER MENDELSON, P.C.

By: /s/ David J. Dow
THEODORE R. SCOTT
DAVID J. DOW
O. MISHELL P. TAYLOR
HEATHER L. SHOOK
Attorneys for Defendant
FIRST STUDENT, INC.

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