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5	UNITED STATES DISTRICT COURT	
6	EASTERN DISTRICT OF CALIFORNIA	
7	FRESNO DIVISION	
8	STAR-LEE LOWNDES, on behalf of herself and all current and former aggrieved	Case No. 1:16-cv-01041-LJO-SAB
9	employees pursuant to the Labor Code Private Attorneys General Act of 2004, Labor Code	Mag. Judge Stanley A. Boone
10	§ 2698 et seq.,	) ORDER RE STIPULATION TO CONTINUE HEARING DATE ON MOTION TO
11	Plaintiff,	REMAND AND SCHEDULING CONFERENCE
12	VS.  DECIS CODDOD ATION a Minnesota	) ) )
13	REGIS CORPORATION, a Minnesota corporation, and DOES 1 through 10,	) )
14	inclusive, Defendants.	
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16	IT IS HEREBY STIPULATED by and	between Plaintiff Star-Lee Lowndes and
17	Defendant Regis Corporation ("Defendant"), by and through their respective counsel, that	
18	pursuant to Federal Rule of Civil Procedure 6 and Local Rules 143 and 144:	
19	WHEREAS, on July 19, 2016, the Court issued an Order Setting a Mandatory	
20	Scheduling Conference for September 20, 2016;	
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22   23	WHEREAS, Plaintiff has filed a Motion to Remand this action to State Court, which	
24	Plaintiff noticed for hearing before Judge Boone on September 21, 2016;	
25	WHEREAS, on August 29, 2016, the Court issued a Minute Order resetting the hearing	
26	on the Motion to Remand from September 21, 2016 to September 20, 2016;	
27	WHEREAS, Defendant's counsel is unavailable on September 20, 2016;	
28	WHEREAS, the parties have met and conferred and agree to continue the hearing on	
20	Plaintiff's Motion to Remand to the next Wedne	esday on which they are available, October 5,

2016 or, if more convenient for the Court, to October 26, 2016, the next Wednesday after October 5, 2016 on which they are available;

WHEREAS, the parties agree that continuing the date set for the Initial Scheduling Conference to the same date as the hearing on Plaintiff's Motion, October 5, 2016, will prevent the parties from incurring undue time and expense on travel;

WHEREAS, no prior continuances have been requested;

WHEREAS, continuing the hearing on the Motion to Remand and the Initial Scheduling Conference to October 5, 2016 will not affect the schedule for the case aside from the requested date changes and the attendant briefing schedule on Plaintiff's Motion to Remand;

WHEREAS, because the requested extension of time comprises 15 days, and the trial date has not been set, the effect on the schedule for the case should be minimal;

## **NOW THEREFORE**, the parties hereto stipulate and agree that:

- (1) The September 20, 2016 hearing date on Plaintiff's Motion to Remand is continued to October 5, 2016 or, if more convenient for the Court, October 26, 2016, and the briefing schedule will be set pursuant to the Federal Rules of Civil Procedure and Local Rules of the Eastern District of California; and
- (2) The Initial Scheduling Conference set for September 20, 2016 is continued to the same date set for the hearing on Plaintiff's Motion to Remand, October 5, 2016 or, if more convenient for the Court, October 26, 2016.

## IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Date: August 31, 2016

GAINES & GAINES, APLC

/s/ Alex P. Katofsky (with permission)
Kenneth Gaines

Daniel F. Gaines Alex P. Katofsky Evan S. Gaines

Attorney for Plaintiff STAR-LEE LOWNDES

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3	Date: August 31, 2016 SEYFARTH SHAW LLP
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5	/s/ Selyn Hong
6	Catherine Dacre Emily Barker
7	Selyn Hong
8	Attorney for Defendant
9	REGIS CORPORATION
10	<u>ORDER</u>
11	Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that:
12	1. The September 20, 2016 hearing date on Plaintiff's motion to remand is
13	continued to October 5, 2016, at 10:00 a.m. in Courtroom 9 with the briefing
14	schedule set pursuant to the Federal Rules of Civil Procedure and Local Rules of
15	the Eastern District of California; and
16	2. The Initial Scheduling Conference set for September 20, 2016, is continued to
17	November 15, 2016 at 3:30 p.m. in Courtroom 9. The parties shall file a joint
18	scheduling report seven days prior to the date on which the scheduling
19	conference is set.
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21	IT IS SO ORDERED.
22	Dated: September 1, 2016  UNITED STATES MACISTRATE HIDGE
23	UNITED STATES MAGISTRATE JUDGE
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