

1 KEITH A. JACOBY, Bar No. 150233
[kjacob@littler.com](mailto:kjacoby@littler.com)

2 LITTLER MENDELSON, P.C.
 2049 Century Park East, 5th Floor
 3 Los Angeles, CA 90067.3107
 Telephone: 310.553.0308
 4 Facsimile: 310.553.5583

5 GREGORY G. ISKANDER, Bar No. 200215
giskander@littler.com

6 LITTLER MENDELSON, P.C.
 Treat Towers
 7 1255 Treat Boulevard, Suite 600
 Walnut Creek, CA 94597
 8 Telephone: 925.932.2468
 Facsimile: 925.946.9809

9 SOPHIA BEHNIA, Bar No. 289318
sbehnia@littler.com

10 PERRY K. MISKA, JR, Bar No. 299129
pmiska@littler.com
 11 LITTLER MENDELSON, P.C.
 333 Bush Street, 34th Floor
 12 San Francisco, California 94104
 Telephone: 415.433.1940
 13 Facsimile: 415.399.8490

14
 15 Attorneys for Defendant
 T-MOBILE USA, INC.

16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA
 18

19 EMMANUEL SALGADO, on behalf of
 20 himself and all others similarly situated,

21 Plaintiff,

22 v.

23 T-MOBILE USA, INC., a Delaware
 24 corporation; and DOES 1 to 100, inclusive,

25 Defendant.

Case No. 1:17-cv-00339-DAD-JLT

**JOINT STIPULATION EXTENDING
 PAGE LIMITATION FOR DEFENDANT'S
 OPPOSITION TO PLAINTIFF'S MOTION
 FOR CLASS CERTIFICATION AND
 PLAINTIFF'S REPLY BRIEF AND
 [PROPOSED] ORDER**

(Doc. 33)

1 Subject to the approval of this Court, Plaintiff EMMANUEL SALGADO and Defendant
2 T-MOBILE USA, INC., through their undersigned counsel, hereby stipulate pursuant to Local Rule
3 143 as follows:

4 1. Parties have agreed to a stipulation that Plaintiff and Defendant shall have a short ten
5 page extension on Defendant's Opposition to Plaintiff's Motion for Class Certification, and Plaintiff's
6 Reply Brief in Support of his Motion for Class Certification. Accordingly, Defendant may be
7 permitted to file an Opposition to Plaintiff's Motion for Class Certification in excess of the existing
8 page limit, as provided by the Court's August 28, 2017 Scheduling Order (Dkt. No. 23), up to 40 pages
9 in length, exclusive of the caption page, table of contents, table of authorities and supporting
10 documents. Plaintiff likewise may be permitted to file a Reply Brief in Support of his Motion for
11 Class Certification in excess of the existing page limit, as provided by the Court's August 28, 2017
12 Scheduling Order (Dkt. No. 23), up to 25 pages in length, exclusive of the caption page, table of
13 contents, table of authorizes and supporting documents.

14 2. Good cause exists for granting this stipulation. While the parties appreciate the
15 importance of brevity, the parties will be contesting and analyzing the Federal Rules of Civil
16 Procedure, Rule 23(a) factors of commonality, typicality, adequacy, *all* of the Rule 23(b) factors
17 (including predominance and superiority), Plaintiff's proposed trial management plan, and numerous
18 factual and credibility issues of the case. Thus, the additional ten pages are necessary to allow the
19 parties to respond fully and adequately address all of these issues and arguments.

20 3. The parties have agreed to a mutual ten page extension of the Memorandum of Points
21 and Authorities in Opposition to Plaintiff's Motion for Class Certification, and the Memorandum of
22 Points and Authorities In Support of Plaintiff's Reply Brief in Support of Plaintiff's Motion for Class
23 Certification.

24 **IT IS SO STIPULATED.**

25 ///

26 ///

27 ///

28 ///

1 Dated: March 25, 2019

LAW OFFICES OF KEVIN T. BARNES

2
3 By: /s/ Kevin T. Barnes
Kevin T. Barnes, Esq.
4 Gregg Lander, Esq.
Attorneys for Plaintiff
5 Emmanuel Salgado

6 Dated: March 25, 2019

LITTLER MENDELSON, P.C.

7
8 By: /s/ Perry Miska
9 KEITH A. JACOBY
GREGORY G. ISKANDER
10 SOPHIA BEHNIA
PERRY K. MISKA
11 Littler Mendelson, P.C.
Attorneys for Defendant
12 T-MOBILE USA, INC.

13 **[PROPOSED] ORDER**

14 The Court will grant the stipulation to allow the parties to exceed the page limitations
15 for the opposition to the motion for class certification (up to 40 pages) and the reply (up to 25
16 pages). However, counsel SHALL make best efforts to edit the briefs, so they are concise, with no
17 repetition or needless block quotes. They are reminded that often, more is not better; it is just more.

18
19 IT IS SO ORDERED.

20 Dated: March 28, 2019

/s/ Jennifer L. Thurston
21 UNITED STATES MAGISTRATE JUDGE