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10	Attorneys for Plaintiffs				
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12	UNITED STATES DISTRICT COURT				
13		CT OF CALIFORNIA			
14		NTO DIVISION			
15					
16	CHRISTINA MITCHELL, DAWN WRIGHT AND JERRY WRIGHT, Individually and on) No. 2:09-CV-02241-GGH (TEMP)			
17	behalf of all others similarly situated,) STIPULATION AND ORDER) EXTENDING TIME FOR PLAINTIFFS'			
18	Plaintiffs,	MOTION FOR CLASSCERTIFICATION AND OTHER CASE			
19	v.) DEADLINES			
20	SKYLINE HOMES, INC.,	>))			
20	Defendant.)) _) ACTION FILED: June 29, 2009			
21		_) ACTION TILLD. Julie 29, 2009			
23					
24					
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WHEREAS Plaintiffs filed the complaint in this action on June 29, 2009;

WHEREAS on June 4, 2010, Plaintiffs filed their Second Amended Complaint;

WHEREAS on September 24, 2010, Judge Mueller granted in part and denied in part the motion to dismiss;

WHEREAS on October 12, 2010, Skyline Homes, Inc. ("Skyline") filed its answer to the Second Amended Complaint, and on December 3, 2010, filed its amended answer to the Second Amended Complaint;

WHEREAS on October 13, 2010, the parties held a status conference before Judge Mueller, wherein the Defendant represented that it would have completed its production of documents in response to Plaintiffs' requests by November 19, 2010;

WHEREAS in an order dated October 14, 2010, Judge Mueller ordered that discovery pertaining to class issues shall be completed by May 4, 2011, and any motion for class certification shall be filed no later than July 13, 2011;

WHEREAS Plaintiffs agreed to the class certification deadlines based on Defendant's representation that it would have completed its production of documents by November 19, 2010, but after discussions between the parties and further motion practice, Defendant is still currently producing documents responsive to Plaintiffs' requests for production of documents;

WHEREAS the parties continue to cooperate in the production of discovery, including Defendant's responses to multiple sets of requests for production of documents, special interrogatories, requests for admission and depositions of Defendant's employees pursuant to Federal Rule of Civil Procedure 30(b)(6);

WHEREAS Plaintiffs have served subpoenas on three third-parties, including the manufacturer of the siding involved in the design defect alleged in this class action, and are still negotiating the production of documents from these third-parties;

March 25, 2011, including 55 interrogatories, 28 requests for production of documents, and 103					
requests for admission on Plaintiffs as well as two separate demands for inspection of					
Plaintiffs' homes;					
WHEREAS the parties as	gree that a motion for class certific	cation would be premature at			
this time while discovery from both the parties and third-parties remains outstanding;					
WHEREAS pursuant to I	Federal Rule of Civil Procedure 6(b) and subject to approval by			
the Court, the parties stipulate to an extension of time on the close of discovery relating to class					
certification and the filing of Pla	intiffs' motion for class certification	on for 90 days; and			
WHEREAS Plaintiffs ha	ve not previously requested any ex	stension of the schedule or			
other case related deadlines;					
NOW, THEREFORE, IT	' IS HEREBY STIPULATED AN	D AGREED, by and between			
the undersigned counsel for Plain	ntiffs and counsel for Defendant, s	subject to the approval of the			
Court that the existing schedulin	g order shall be modified as follow	ws:			
	Comment Cale alored				
Event	Current Schedule	Proposed Schedule			
Close of class certification discovery	May 4, 2011	August 2, 2011			
Close of class certification		-			
Close of class certification discovery Motion for class certification	May 4, 2011 July 13, 2011	August 2, 2011			
Close of class certification discovery	May 4, 2011 July 13, 2011	August 2, 2011 October 11, 2011 SOBOL SHAPIRO LLP			
Close of class certification discovery Motion for class certification	May 4, 2011 July 13, 2011 HAGENS BERMAN	August 2, 2011 October 11, 2011 SOBOL SHAPIRO LLP na E. Scarlett E. SCARLETT 3886) Suite 202 5-3000 -3001			

WHEREAS Defendant recently served voluminous discovery on March 15, 2011, and

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13	Attorneys for Plaintiffs	
14		
15	Dated: April 5, 2011 TUCKER ELLIS & WEST LLP	
16	By/s/ Daniel J. Kelly	
17	(as authorized on April 5, 2011) DANIEL J. KELLY	_
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22	Attorneys for Defendant Skyline Homes, Inc.	
23		
24		
25	IT IS SO ORDERED.	
26	DATED: <u>April 14, 2011</u> <u>/s/ Gregory G. Hollows</u>	10
27	MAGISTRATE JUDGE GREGORY G. HOLLOW UNITED STATES DISTRICT COURT MAGISTRA	
28		
	STIP. AND [PROP.] ORD. RE CLASS CERT. SCHEDULE – - 3 - Case No. 2:09-CV-02241-GGH (TEMP) 010153-11 436468 V1	