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14 ON SIGNATURE PAGE

15 **UNITED STATES DISTRICT COURT**  
16 **EASTERN DISTRICT OF CALIFORNIA**

17 LUKE HALTON and DENNIS BIER, )  
Individually and on Behalf of All Other )  
18 Similarly Situated Current and Former )  
Employees, )  
19 )  
Plaintiffs, )  
20 )  
vs. )  
21 )  
VALSPAR CORPORATION AND )  
22 SUBSIDIARIES, a Delaware corporation, and )  
DOES 1 through 10, Inclusive, )  
23 )  
Defendants. )  
24 )

**Case No. 2:10-cv-02400-FCD-EFB**  
**JOINT STIPULATION AND ORDER TO**  
**MODIFY SCHEDULING ORDER**

1 The parties to the above-referenced action stipulate as follows:

2 WHEREAS, on March 3, 2011, the Court issued its Status (Pretrial Scheduling) Order  
3 (Docket No. 16) setting the following pretrial deadlines:

- 4 1. Pre-certification discovery cut-off: August 15, 2011;
- 5 2. Plaintiff's Motion for Class Certification: December 16, 2011;
- 6 3. Defendant's Opposition: December 30, 2011;
- 7 4. Plaintiff's Reply: January 6, 2012; and
- 8 5. Hearing on Class Certification: January 13, 2012.

9 WHEREAS, the parties are engaging in discovery;

10 WHEREAS, the parties have not yet finalized a stipulated protective order, in part, because  
11 Defendant must ensure that any such order complies with its obligations to third parties;

12 WHEREAS, the parties intend to continue working toward completing discovery and agree  
13 that additional time is necessary to prepare for class certification;

14 WHEREAS, the parties have met and conferred to determine a schedule for briefing and  
15 hearing the Plaintiff's Motion for Class Certification that accommodates previously scheduled travel  
16 and unavailability of counsel;

17 THE PARTIES THEREFORE STIPULATE AND REQUEST THAT the Court vacate the  
18 above-referenced deadlines, and set new deadlines as follows:

- 19 1. Pre-certification discovery cut-off: December 16, 2011;
- 20 2. Plaintiff's Motion for Class Certification: January 31, 2012;
- 21 3. Defendant's Opposition: February 14, 2012;
- 22 4. Plaintiff's Reply: February 21, 2012; and
- 23 5. Hearing on Class Certification: March 20, 2012.

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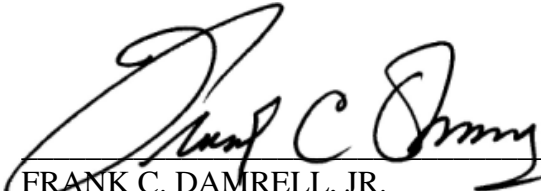
**ORDER**

Having considered the Joint Stipulation submitted by the parties and, GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT the pre-trial deadlines shall be set as follows:

1. Pre-certification discovery cut-off: December 16, 2011;
2. Plaintiff's Motion for Class Certification: January 31, 2012;
3. Defendant's Opposition: February 14, 2012;
4. Plaintiff's Reply: February 21, 2012; and
5. Hearing on Class Certification: **March 23, 2012.**

IT IS SO ORDERED.

Dated: July 22, 2011

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE