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9 Attorneys for Defendant CLEARWIRE CORPORATION,
 10 erroneously sued as CLEARWIRE, INC.

11
 12 IN THE UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA

14 SHARON NEWTON, individually and on) 15 behalf of all others similarly situated,) 16 Plaintiffs,) 17 vs.) 18 CLEARWIRE, INC.,) 19 Defendant.) 20	Case No. 2:11-cv-00783-WBS-DAD)) STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING ON DEFENDANT’S MOTION TO COMPEL ARBITRATION AND STAYING CASE PENDING MEDIATION)))
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21 **STIPULATION**

22 Plaintiff Sharon Newton and Defendant Clearwire Corporation, by and through their
 23 counsel, stipulate to the following and request that the Court continue the hearing on Clearwire’s
 24 Motion to Compel Arbitration [Dkt. 18] and stay this matter until after the parties complete
 25 mediation the first week of January 2012. The parties jointly request that the Court enter the
 26 following Order approving this Stipulation.

27 In support of this request, the parties represent the following to the Court:

- 28 1. On June 9, 2011, Clearwire filed a Motion to Compel Arbitration.

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2. The parties have completed briefing on the motion.

3. On November 1, 2011, the Court entered a minute order [Dkt. 34] setting Clearwire’s Motion for hearing on December 19, 2011, at 2:00 p.m.

4. The parties have agreed to mediate their dispute, as well as other matters involving Clearwire, the first week of January 2012.

5. To allow the parties to focus attention on efforts to resolve their dispute amicably, they ask the Court to continue the hearing on Clearwire’s Motion to Compel Arbitration, to be reset if they fail to achieve a settlement, and to stay the case until after their mediation.

Stipulated and respectfully submitted this 12th day of December, 2011.

For Clearwire Corporation:

For Plaintiff:

DAVIS WRIGHT TREMAINE LLP

BAILLON THOME JOZWIAK MILLER & WANTA

By: /s/ Kenneth E. Payson
Kenneth E. Payson (*admitted pro hac vice*)

By: /s/ Bryce Miller (authorized on December 12, 2011)
Bryce Miller (*admitted pro hac vice*)

Attorneys for Defendant
CLEARWIRE CORPORATION

Of Attorneys for Plaintiff
SHARON NEWTON

ORDER

IT IS SO ORDERED.

The Court approves the parties’ stipulation and VACATES the December 19, 2011, 2:00 p.m. hearing on Clearwire’s Motion to Compel Arbitration.

This matter is STAYED until January 12, 2012. At the expiration of that time the parties shall submit a joint status report describing how they propose that this matter will proceed.

DATED this 12th day of December 2011.



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

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DATED this 12th day of December, 2011.

s/ Kenneth E. Payson

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