

1 JEFFREY B. DEMAIN (SBN 126715)
P. CASEY PITTS (SBN 262463)
2 Altshuler Berzon LLP
177 Post Street, Suite 300
3 San Francisco, California 94108
Telephone: (415) 421-7151
4 Facsimile: (415) 362-8064
jdemain@altshulerberzon.com
5 cpitts@altshulerberzon.com

6 J. FELIX DE LA TORRE (SBN 204282)
ANNE M. GIESE (SBN 143934)
7 SEIU Local 1000
1808 14th Street
8 Sacramento, California 95811
Telephone: (916) 554-1279
9 Facsimile: (916) 554-1292
fdelatorre@seiu1000.org
10 agiese@seiu1000.org

11 Attorneys for Defendant
Service Employees International Union, Local 1000
12

13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE EASTERN DISTRICT OF CALIFORNIA
15

16 KOUROSH KENNETH HAMIDI, et al., AND)
17 THE CLASS THEY SEEK TO REPRESENT)
18 Plaintiffs,)
19 v.)
20 SERVICE EMPLOYEES INTERNATIONAL)
UNION, LOCAL 1000, et al.;)
21 Defendants.)
22

No. 2:14-cv-00319-WBS-KJN
**STIPULATION TO CONTINUE HEARING
DATE ON, AND SET BRIEFING SCHEDULE
FOR, PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION; [~~PROPOSED~~] ORDER
THEREON**
Hearing Date: January 26, 2015
Time: 2:00 p.m.
Courtroom: 5
Judge: Hon. William B. Shubb

1 **TO THE COURT:**

2 The parties to the above-captioned case hereby submit the following stipulation to continue the
3 hearing date on Plaintiffs' previously-noticed motion for class certification from January 26, 2015, to
4 April 20, 2015, and to set a briefing schedule for the filing and service of the opposition and reply
5 briefs thereon.

6 WHEREAS, on August 15, 2014, Plaintiffs noticed their motion for class certification to be
7 heard on September 22, 2014;

8 WHEREAS, the parties to the above-captioned case had previously agreed that, after Plaintiffs
9 noticed that motion, the hearing on the motion would be stayed to permit Defendants to conduct
10 discovery relevant to the class certification issue, and so informed the Court in their Revised Joint
11 Status Report, Doc. No. 20 at 3:15-18;

12 WHEREAS, the parties thereafter stipulated to continue the hearing on the motion to January
13 26, 2015, with a corresponding briefing schedule;

14 WHEREAS, the Court approved that stipulation on September 5, 2014 (Docket No. 24);

15 WHEREAS, it is taking Plaintiffs longer than the parties had previously contemplated to
16 respond to the written discovery requests propounded by Defendant SEIU Local 1000, which has given
17 them several extensions of time within which to respond;

18 WHEREAS, Defendant SEIU Local 1000 is still awaiting some of the Plaintiffs' responses to
19 those written discovery requests, and must receive them before it can determine which Plaintiffs it will
20 need to depose;

21 WHEREAS, the parties contemplate scheduling the necessary depositions in January and early
22 February, followed by time to brief the issues relevant to class certification; and

23 WHEREAS, the parties continue to wish to implement their prior agreement and to set a
24 briefing schedule for the opposition and reply on the class certification motion so that Plaintiffs will
25 have sufficient time to prepare their reply;

26 THEREFORE, the parties hereby stipulate as follows:

27 ///

28 ///

1 1. The hearing on Plaintiffs' pending motion for class certification shall be continued from
2 January 26, 2015, to April 20, 2015, at 2:00 p.m.

3 2. This stipulation shall constitute sufficient notice of that continuance, so that Plaintiffs
4 need not file an amended notice of motion.

5 3. Any oppositions to Plaintiffs' class certification motion that Defendants submit shall be
6 filed and served on or before March 27, 2015.

7 4. Any reply in support of Plaintiffs' class certification motion shall be filed and served, as
8 per the Local Rules, on or before April 10, 2015.

9 The foregoing is so stipulated and agreed between the parties to the above-captioned action, by
10 among their undersigned counsel.

11 Dated: December 17, 2014

Respectfully submitted,

12 JEFFREY B. DEMAIN
13 Altshuler Berzon LLP

14 J. FELIX DE LA TORRE
15 ANNE M. GIESE
16 SEIU Local 1000

17 By: /s/ Jeffrey B. Demain
 Jeffrey B. Demain

18 Attorneys for Defendant Service Employees
19 International Union, Local 1000

20 KAMALA D. HARRIS
21 Attorney General of California
22 MARK R. BECKINGTON
23 Supervising Deputy Attorney General
24 KIM L. NGUYEN
25 Deputy Attorney General
26 State Bar No. 209524
27 300 South Spring Street, Suite 1702
28 Los Angeles, CA 90013
 Telephone: (213) 897-5677
 Fax: (213) 897-5775
 E-mail: Kim.Nguyen@doj.ca.gov

 By: /s/ Kim Nguyen (as authorized on Dec. 17, 2014)
 Kim Nguyen

 Attorneys for Defendant John Chiang,
 Controller of the State of California

1 W. JAMES YOUNG, Esq. (*pro hac vice* application
2 pending)
3 c/o National Right to Work Legal Defense Foundation, Inc.
4 8001 Braddock Road, Suite 600
5 Springfield, Virginia 22160
6 (703) 321-8510

7 STEVEN R. BURLINGHAM, Esq.
8 California Bar No. 88544
9 Gary, Till & Burlingham
10 5330 Madison Avenue, Suite F
11 Sacramento, California 95841
12 (916) 332-8122
13 Facsimile — (916) 332-8153

14 By: /s/W. James Young (as authorized on Dec. 17, 2014)
15 W. James Young

16 Attorneys for Plaintiffs and the Class They
17 Seek to Represent

18 **ORDER**

19 **IT IS SO ORDERED.**

20 Dated: December 17, 2014

21 

22 WILLIAM B. SHUBB
23 UNITED STATES DISTRICT JUDGE