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14 ATTORNEYS FOR PLAINTIFFS AND
15 THE CLASS THEY SEEK TO REPRESENT

16 UNITED STATES DISTRICT COURT
17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18 KOUROSH KENNETH HAMIDI, *et al.*, AND
19 THE CLASS THEY SEEK TO REPRESENT

20 Plaintiffs,

21 v.

22 SERVICE EMPLOYEES INTERNATIONAL UNION
23 LOCAL 1000, AND JOHN CHIANG, Controller,
24 State of California;

25 Defendants.

26 CASE No. 2:14-CV-319-GEB-KJN

27 CLASS ACTION

28 **STIPULATION TO CONTINUE HEARING
DATE ON, AND SET BRIEFING SCHEDULE
FOR, PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION; ~~PROPOSED ORDER~~
THEREON**

29 TO THE COURT:

30 The parties to the above-captioned case hereby submit the following stipulation to
31 continue the hearing date on Plaintiffs' previously-noticed Motion for class certification from 20
32

1 April 2015, and to set a briefing schedule for the filing and service of the reply brief thereon.

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

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

8 WHEREAS, the parties to the above-captioned case had previously agreed to continue
9 the originally-noticed hearing date and briefing schedule in order to provide the Plaintiffs
10 additional time to respond to Defendant SEIU Local 1000's written discovery requests and to
11 provide Local 1000 sufficient time to depose the Plaintiffs after receiving their responses, and
12 thus stipulated to postpone the hearing to 20 April 2015 (Docket Nos. 27 & 28); and

13 WHEREAS, due to the voluminous nature of Defendant SEIU Local 1000's Opposition
14 (Docket Nos. 39-42, inclusive), and the press of other matters including, but not limited to
15 Plaintiffs' counsel's: (1) preparation and filing on this date of an opposition to a motion for a
16 supersedeas (injunction pending appeal) filed and served on 1 April 2015, with the Pennsylvania
17 Supreme Court; (2) oral argument before the United States Court of Appeals for the District of
18 Columbia Circuit on 7 April 2015, in a case long-delayed by the United States Supreme Court's
19 consideration of and decision in *National Labor Relations Board v. Noel Canning*, 134 S.Ct.
20 2550 (2014); and (3) unforeseen illness since the filing of Defendants' Oppositions to the Motion
21 (Docket Nos. 38-42, inclusive), the parties now wish to set a briefing schedule for reply on the
22 class certification motion so that Plaintiffs will have sufficient time to prepare their reply;

23 THEREFORE, the parties hereby stipulate as follows:

24 1. The hearing on Plaintiffs' pending motion for class certification shall be
25 continued from April 20, 2015, to May 18, 2015, at 2:00 p.m., the Court's next available hearing
26 date;

27 2. This stipulation shall constitute sufficient notice of that continuance, so that
28

1 Plaintiffs need not file an amended notice of motion.

2 3. Any reply in support of Plaintiffs' class certification motion shall be filed and
3 served, as per the Local Rules, on or before May 8, 2015.

4 DATED: 8 April 2015

5 Respectfully submitted,

6 /s/ Steven R. Burlingham

/s/ Kim L. Nguyen (as authorized 4/9/15)

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CONTROLLER

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25 THE CLASS THEY SEEK TO REPRESENT
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22 ATTORNEYS FOR DEFENDANT SEIU
23 LOCAL 1000

24 **IT IS SO ORDERED.**

25 Dated: April 10, 2015

26 

27 WILLIAM B. SHUBB
28 UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

1
2 I, W. James Young, counsel for Plaintiffs, hereby certify that I electronically filed with the
3 Clerk of Court the foregoing **STIPULATION TO CONTINUE HEARING DATE ON, AND SET**
4 **BRIEFING SCHEDULE FOR, PLAINTIFFS' MOTION FOR CLASS CERTIFICATION; PROPOSED**
5 **ORDER THEREON**, using the CM/ECF system which will send notification of such filing to
6 Defendants' counsel, this 9th day of April, 2015.
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10 /s/ W. James Young

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12 W. JAMES YOUNG
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