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CARMAX AUTO SUPERSTORES CALIFORNIA, LLC and
CARMAX AUTO SUPERSTORES WEST COAST, INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

1 JAMES ROWLAND on behalf of himself and
all others similarly situated,

2 Plaintiffs,

3 v.

4 CARMAX AUTO SUPERSTORES
5 CALIFORNIA, LLC, a limited liability
company; CARMAX AUTO SUPERSTORES
6 WEST COAST, INC., a corporation, and DOES
1-100, inclusive,

7 Defendants.
8

Case No.: 2:16-cv-02135-~~VC~~

STIPULATION AND ~~[PROPOSED]~~ ORDER
TO CONTINUE HEARING
ON MOTION TO COMPEL ARBITRATION

9
10 IT IS HEREBY STIPULATED by and between the parties, Plaintiff JAMES ROWLAND
11 (“Plaintiff”) and Defendants CARMAX AUTO SUPERSTORES CALIFORNIA, LLC and
12 CARMAX AUTO SUPERSTORES WEST COAST, INC. (together, “Defendants”) (collectively,
13 “the Parties”), by and through their respective attorneys of record, as follows:

- 14
- 15 1. Defendants’ Motion to Compel Arbitration (the “Motion”) is presently set for hearing on
- 16 November 17, 2016;
- 17 2. Due to the unavailability of Plaintiff’s counsel on the noticed date, the Parties have agreed to
- 18 continue the hearing on the Motion to a later date that is mutually agreeable to the Parties and
- 19 convenient for the Court;
- 20 3. Whereas, this matter was recently reassigned from the Honorable Morrison C. England, Jr. to
- 21 the Honorable Vince G. Chhabria, which also necessitates changing the location and hearing
- 22 time for the Motion;
- 23 4. Therefore, the Parties respectfully request that Defendants’ Motion to Compel Arbitration,
- 24 currently set for hearing on November 17, 2016, at 2:00 p.m., Courtroom 7, 14th Floor, is
- 25 continued to December 15, 2016, at 10:00 a.m., in San Francisco Courthouse, Courtroom 4 -
- 26 17th Floor, 450 Golden Gate Avenue, San Francisco, CA 94102. Plaintiff’s opposing papers
- 27 will be due not less than 14 calendar days prior to the date of the continued hearing of
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December 15, 2016, and Defendants' reply papers will be due not less than 7 calendar days prior to the date of the continued hearing; and

5. The Parties also agree that, should any of the above-referenced proposed dates be inconvenient or unacceptable for any reason, the Court has the discretion to set other dates which are more convenient or acceptable. However, counsel request that the current proposed dates in this matter be continued to a time that is at least after December 15, 2016.

Dated: October 25, 2015

Tower Legal Group, P.C.

By: /s/James A. Clark

James A. Clark, Esq.

Christina A. Humprey, Esq.

Attorney for Plaintiff ROWLAND

Dated: October 25, 2015

Ogletree, Deakins, Nash, Smoak
& Stewart, P.C

By: /s/ Alexander M. Chemers

Alexander M. Chemers, Esq.

Jack Scholkoff, Esq.

Attorney for Defendants CARMAX
AUTO SUPERSTORES CALIFORNIA,
LLC, CARMAX AUTO
SUPERSTORES WEST COAST, INC

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ORDER

The Court, having reviewed the Stipulation of the Parties and finding good cause, hereby issues an Order to:

1. Continue the hearing on Defendants CARMAX AUTO SUPERSTORES CALIFORNIA, LLC, and CARMAX AUTO SUPERSTORES WEST COAST, INC.’s Motion to Compel Arbitration from November 17, 2016 at 2:00 p.m., to December 15, 2016, at 10:00 a.m. in San Francisco Courthouse, Courtroom 4 - 17th Floor, 450 Golden Gate Avenue, San Francisco, CA 94102., with Plaintiff’s opposing papers to be filed and served not less than 14 calendar days prior to the continued hearing date, and with Defendants’ reply papers to be filed and served not less than 7 calendar days prior to the continued hearing date..

IT IS SO ORDERED.

Dated: October 27, 2016

