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Attorneys for Defendant GATEWAY, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

20 ROYLENE RAY, KELLY CANNON,
 21 KARLA HODGES, LAKETA COULTER,
 22 LINDA PULLUM, MAYRA AYAR,
 23 ESPERANZA OCHOA and JANIS
 SHOEMAKER, individually and on behalf
 of others similarly situated,

Plaintiffs,

vs.

25 BLUEHIPPO FUNDING, LLC,
 26 BLUEHIPPO CAPITAL, LLC and
 GATEWAY, INC.,

Defendants.

Case No. C-06-1807 JSW EMC

**STIPULATION AND [PROPOSED]
 ORDER REGARDING CONTINUANCE
 OF PRETRIAL DATES AND REFERRAL
 TO MAGISTRATE JUDGE FOR
 SETTLEMENT CONFERENCE**

Hon. Jeffrey S. White
 Courtroom 2, 17th Floor

Trial Date: December 14, 2009

1 All parties hereto, through their counsel of record, hereby stipulate and ask the Court to
2 order as follows:

3 1. On August 26, the parties received a notification from the Court's CM/ECF system
4 setting a Status Conference for December 12, 2008 at 1:30 p.m. A true and correct copy of the
5 notification is attached as Exhibit A to the Declaration of Anthony P. Schoenberg In Support Of
6 Stipulation Regarding Continuance Of Pretrial Dates And Referral To Magistrate For Settlement
7 Conference ("Schoenberg Decl."), filed herewith.

8 2. In light of the anticipated December 12, 2008 Status Conference, the parties filed a
9 Joint Status Statement on December 4, 2008. A true and correct copy of the Joint Status
10 Statement is attached as Exhibit B to the Schoenberg Decl.

11 3. In the Joint Status Statement, the parties each requested that the Court continue the
12 pretrial dates. The Defendants and the Plaintiffs, however, set forth competing positions
13 regarding the amount of time by which they sought to continue such dates. The parties respective
14 positions are set forth in the Joint Status Statement at pp. 2-6. *See* Schoenberg Decl., Exhibit B.

15 3. In the Joint Status Statement, the parties also requested that the Court appoint a
16 Magistrate Judge to assist with the parties with settlement discussions. *See* Schoenberg Decl., Ex.
17 B at 2:6-8.

18 3. On December 8, 2008, the Court's Courtroom Deputy advised the parties that no
19 Status Conference appeared on the Court's calendar for December 12, 2008. *See* Schoenberg
20 Decl. ¶ 6. She further advised that the August 26, 2008 notification the parties received from the
21 Court's CM/ECF system had been in error. *Id.*

22 4. Under the current pretrial schedule, motions related to class certification must be
23 filed no later than January 15, 2008. Given the imminence of that deadline, and in light of the
24 upcoming holidays, the parties believe that the above-referenced scheduling issues must get
25 resolved promptly. Accordingly, the parties hereby stipulate and jointly request that the Court
26 issue a ruling as soon as possible addressing the parties' competing requests to continue the
27 pretrial dates that are set forth in the Joint Status Statement. If the Court believes that a Status
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1 Conference is needed in order to resolve this issue, the parties will make themselves available at
2 the Court's earliest convenience.

3 5. The parties also jointly request a referral to a Magistrate Judge, and specifically to
4 Magistrate Judge Spero, for a settlement conference.

5 SO STIPULATED.

6 Dated: December 9, 2008

7 By: _____ /s/
Gary Peller

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23 SHOEMAKER

22 Dated: December 9, 2008

23 QUINN EMANUEL URQUHART OLIVER
24 & HEDGES

24 By: _____ /s/
Stan Karas

25 Attorneys for Defendant
26 GATEWAY, INC.

28

1 Dated: December 9, 2008

FARELLA BRAUN & MARTEL LLP

2 I represent that concurrence in the filing of this
 3 document has been obtained from each of the
 4 other signatories which shall serve in lieu of
 5 their signatures on this document.

By: _____ /s/
 Anthony P. Schoenberg

Attorneys for Defendants
 BLUEHIPPO FUNDING, LLC and
 BLUEHIPPO CAPITAL, LLC

ORDER

6 Pursuant to the above-referenced stipulation, and for good cause shown, IT IS HEREBY
 7 ORDERED THAT the Court adopts the following new pretrial dates:
 8

Event	Current Dates	New Dates
1. Last day to file motions regarding class certification, with briefing schedule to follow local court rules.	1/15/09	2/19/09
2. Hearing on motions regarding class certification	2/20/09	4/3/90 at 9:00 a.m.
3. Close of fact discovery.	5/18/09	6/15/09
4. Plaintiffs identify experts and produce expert reports.	6/2/09	7/7/09
5. Defendants identify experts and produce expert reports.	6/16/09	7/21/09
6. Parties serve supplemental expert disclosures and reports.	6/30/09	8/4/09
7. Last day for completing expert depositions.	7/20/09	8/24/09
8. Last day to file ^{hear} dispositive motions, with briefing schedule to follow local court rules.	8/20/09	10/2/09 at 9:00 a.m.
9. Parties serve opening briefs in support of motions <i>in limine</i> (suggested date per Judge White's Standing Orders).	10/9/09	11/13/09
10. Parties serve oppositions to motions <i>in limine</i> (suggested date per Judge White's Standing Orders).	10/16/09	11/20/09
11. Parties to file pretrial submissions pursuant to Judge White's Standing Orders, including: 1) joint proposed pretrial order, 2) joint proposed jury instructions and supporting memoranda, 3) joint proposed <i>voir dire</i> questions, 4) joint motions <i>in limine</i> binder, and 5) trial briefs on issues of law.	11/9/09	12/14/09
12. Final pretrial conference.	11/23/09	1/11/10 at 2:00 p.m.
13. Trial.	12/14/09	2/1/10 at 8:00 a.m.

26 IT IS FURTHER ORDERED THAT this matter is referred to Magistrate Judge Joseph C.
 27 Spero for a settlement conference.
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IT IS SO ORDERED.

Dated: December 10, 2008, 2008



Hon. Jeffrey S. White
United States District Judge