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7			
8	UNITED STATES DISTRICT COURT		
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
10			
11	TERRENCE DAVIS, on behalf of himself	CIVIL ACTION No.: 3:06-CV-6108 MHP	
12	v.) STIPULATION FOR FU SUSPENDING LITIGA DEFENDANT'S REVIE	[PROPOSED] ORDER AND STIPULATION FOR FURTHER SUSPENDING LITIGATION FOR DEFENDANT'S REVIEW OF PLAINTIFFS' OFFER OF SETTLEMENT	
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15			
16	Defendant)		
17			
18	The parties stipulate that the current dates to amend the Second Amended Complaint and		
19 20	file the Motion for Certification of Class Action (Doc. No. 77) be extended for an additional forty-five (45) days to November 10, 2008 , and to November 18, 2008 , respectively. Defendant will file its responsive pleading to Plaintiff's amended complaint and opposition to motion for		
20			
22			
23	certification no later than January 12, 2009 . Plaintiff's reply brief in support of his motion for		
24	class certification will be filed no later than January 20, 2009 .		
25	///		
26	///		
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28			
	[PROPOSED] ORDER AND STIPULATION FFOR DEFENDANT'S REVIEW OF PLAINTING	FOR FURTHER SUSPENDING LITIGATION FFS' OFFER OF SETTLEMENT	
	- 1 -	06-CV-6108 MHP	

Doc. 82

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Davis v. Barnhart et al

1	The hearing date for the motion for	or class certification will be noticed for February 2,	
2	2009. If there is a motion to dismiss the	amended complaint filed, it will be noticed for	
3	February 2, 2009.		
4			
5	This request is made because both	Plaintiffs and Defendant hereby represent to this Court	
6	that they are proceeding in good faith on settlement proceedings, which was initiated by		
7	Plaintiffs on July 15, 2008, and responded to by Defendant on August 29, 2008.		
8			
9		Respectfully submitted,	
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11		/s/	
12	Date: September 2, 2008	Steven Bruce, Attorney for Plaintiffs	
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15	Date: September 2, 2008	Andrew Cheng, Attorney for Defendant	
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[Proposed] Order

The Court, having considered the stipulation of the parties, hereby orders that:

- The time for Plaintiffs to file an amended complaint be extended to November 10,
 2008;
- 2. The time for Plaintiffs to file the Motion for Certification of Class Action be extended to **November 18, 2008**;
- 3. The time for Defendant to file a responsive pleading to Plaintiffs' amended complaint will be no later than **January 12, 2009**;
- 4. The time for Defendant to file its Opposition to Plaintiffs' Motion for Certification of Class Action to be no later than **January 12, 2009**;
- 5. Plaintiff's reply brief in support of his motion for certification will be due on **January 20, 2009**; and
- 6. The hearing dates for the motion for class certification and for any motion to dismiss filed by defendant will be **February 2, 2009**.

IT IS SO ORDERED.

Date: 9/3/2008

