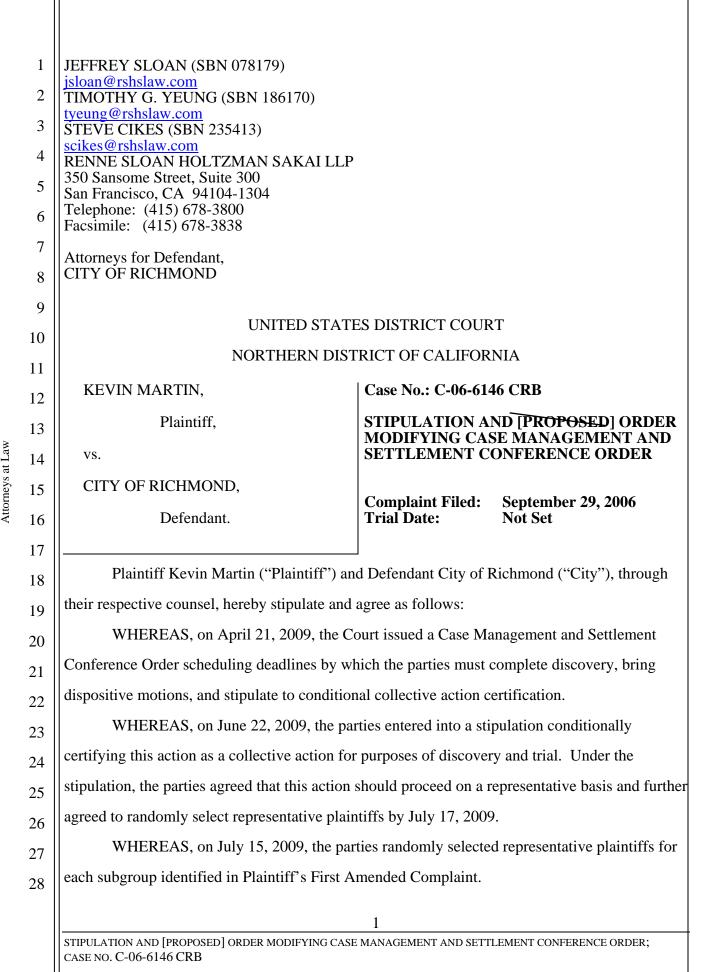
RENNE SLOAN HOLTZMAN SAKAI LLP



1 WHEREAS, the stipulation to proceed as a collective action authorizes the City to 2 propound all discovery mechanisms upon each of the 16 representative plaintiffs, and authorizes 3 Plaintiff to depose up to 10 defense witnesses in addition to any expert or 30(b)(6) witnesses 4 designated by the City.

5 WHEREAS, on July 30, 2009, the Court approved the parties' stipulation and proposed order modifying the Case Management and Settlement Conference Order previously entered on 6 7 April 21, 2009. That Order essentially provided the parties with an additional two months in 8 order to complete discovery and bring dispositive motions.

9 WHEREAS, to date, the parties have completed a significant portion of the discovery 10 contemplated in their conditional collective action certification stipulation. However, due to 11 factors outside of their control (stemming mainly from issues involving witness availability), the 12 parties will require an additional month in order to complete discovery and, if necessary, prepare 13 dispositive motions. Such an extension will also allow the parties to continue their informal 14 settlement discussions and, hopefully, resolve this matter, before the filing of any dispositive 15 motions.

16 THEREFORE, THE PARTIES STIPULATE AND AGREE THAT THE COURT'S CASE MANAGEMENT AND SETTLEMENT CONFERENCE ORDER BE MODIFIED ACCORDINGLY:

19 1. The September 25, 2009 discovery deadline shall be continued until October 23, 2009. 20

21 2. The October 23, 2009 deadline for the parties to file dispositive motions shall be 22 continued until November 20, 2009.

3. 23 The December 4, 2009 deadline for hearing dispositive motions shall be 24 continued until January 8, 2010.

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> STIPULATION AND [PROPOSED] ORDER MODIFYING CASE MANAGEMENT AND SETTLEMENT CONFERENCE ORDER; CASE NO. C-06-6146 CRB

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RENNE SLOAN HOLTZMAN SAKAI LLP Attorneys at Law

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