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15 Attorneys for Plaintiffs GERALD SMITH, et al.,  
 16 and the Certified Plaintiff Class

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

20 GERALD SMITH, SAMIR RADY,  
 21 FLORENTINO FIGUEROA, on behalf of  
 22 themselves and all others similarly situated,

23 Plaintiffs,

24 vs.

25 CARDINAL LOGISTICS MANAGEMENT  
 26 CORPORATION, a North Carolina  
 27 Corporation; and Does 1 through 100, inclusive,

28 Defendants.

) **Case No.: C07-02104 SC**  
 )  
 ) **CLASS ACTION**  
 )  
 ) **STIPULATION RE: EXPERT REPORT**

1 Pursuant to Local Rule 6-1(a), the parties to the above-entitled action, through their  
2 respective counsel, hereby stipulate and agree as follows:

3 1. On March 2, 2009, the Court entered its Order Granting Plaintiffs' Administrative  
4 Motion for Continuance [of Defendant's Motion for Partial Summary Judgment] [Document  
5 #100].

6 2. Under the terms of the Court's Order, Plaintiffs were to submit their expert report to  
7 Defendant within sixty (60) days of the Order (i.e., by May 1, 2009).

8 3. Plaintiffs' counsel subsequently requested a one-week extension of this date, to which  
9 Defendant's counsel agreed.

10 4. Accordingly, the Parties agree that the expert report will be provided to Defendant's  
11 counsel on or before May 8, 2009.

12 5. Defendant will have sixty (60) days from the new date, May 8, 2009, within which to  
13 depose Plaintiff's expert, should Defendant's counsel so choose.

14 IT IS SO STIPULATED.

15  
16 Dated: May 1, 2009

CHAVEZ & GERTLER LLP  
LAW OFFICES OF KIM E. CARD

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18  
19 By: \_\_\_\_\_/s/\_\_\_\_\_  
20 KIM E. CARD  
21 Attorneys for Plaintiffs Smith, et al,  
and the Certified Plaintiff Class

22  
23 Dated: May 1, 2009

SCOPELITIS, GARVIN, LIGHT &  
HANSON

24  
25 By: \_\_\_\_\_/s/\_\_\_\_\_  
26 Robert L. Browning  
27 Attorneys for Defendant CARDINAL  
CORPORATION  
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2009

\_\_\_\_\_  
THE HONORABLE SAMUEL CONTI  
UNITED STATES DISTRICT JUDGE

**ATTESTATION REGARDING THE SIGNATURE OF NON-FILING COUNSEL**

I, Kim E. Card, co-counsel for the Plaintiffs in this action declare that, prior to the electronic filing of this Stipulation, I attained a faxed or scanned copy of the signature of Defendant's counsel thereon, verifying Defendant's approval of this Stipulation, and concurrence in the filing of the document.

Dated: May 1, 2009

\_\_\_\_\_/s/\_\_\_\_\_  
KIM E. CARD