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16 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 JOSE BAUTISTA-PEREZ, OSCAR
GUARDADO-GONZALEZ, DENIS
18 CABALLERO-ESPINOZA, JOSE
ALVARADO-MENJIVAR, OSCAR RENE
19 RAMOS, MARIA SALAZAR, JOSE
BENJAMIN QUINTEROS, AND MARIA
20 JOSEFA CRUZ, Individually and on behalf of
all others similarly situated,

21 Plaintiffs,

22 vs.

23 MICHAEL B. MUKASEY, Attorney General
24 and MICHAEL CHERTOFF, Secretary of
Homeland Security,

25 Defendants.

Case No.: C 07-4192 TEH

26 **STIPULATION AND ~~[PROPOSED]~~ ORDER
REGARDING CLASS CERTIFICATION
MOTION SCHEDULE**

1 WHEREAS on September 9, 2008, the Court issued an order upon the Parties' stipulation
2 that Plaintiffs would file their motion for class certification in the Fall of 2008, and schedule it
3 for hearing by no later than December 29, 2008. (*See* Stipulation and Order Regarding
4 Discovery and Motion Schedule, filed September 9, 2008, ¶ 9;

5 WHEREAS in the same stipulation the parties set forth their anticipated schedule for
6 completing discovery necessary for Plaintiffs' motion for class certification, but the parties
7 experienced minor delays in completing that discovery, and these delays have made it
8 necessary to slightly postpone the filing of Plaintiffs' motion for class certification;

9 WHEREAS plaintiffs have completed discovery necessary to file their motion for class
10 certification;

11 WHEREAS the parties have met and conferred and agreed upon a briefing and hearing
12 schedule that accounts for this delay as well as the holiday plans of the parties and the Court;
13 and

14 WHEREAS the parties have jointly agreed upon the following schedule, as a result of
15 their meet and confer process:

16 By no later than December 8, 2008, Plaintiffs will file and serve their motion for class
17 certification, and will serve Defendants through an electronic transmittal that will ensure that
18 Defendants receive the filing on December 8, 2009.

19 By no later than January 12, 2009, Defendants will file their opposition to Plaintiffs'
20 motion for class certification, and will serve Plaintiffs through an electronic transmittal that
21 will ensure that Plaintiffs receive the filing on January 12, 2009.

22 By no later than January 20, 2009, Plaintiffs will file their reply to Defendants'
23 opposition to their motion for class certification, and will serve Defendants through an
24 electronic transmittal that will ensure that Defendants receive the filing on January 20, 2009.

25 Plaintiffs' motion for class certification will be scheduled for hearing on February 2,
26 2009 at 10:00 a.m.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 11/18/08

Hon. Thelton E. Henderson
United States District Judge



