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 CONAM INSPECTION AND ENGINEERING
 6 SERVICES, INC.

7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**

9
 10 GERALD LEE and STEVEN TAYLOR,)
 individually and on behalf of all others similarly)
 11 situated,)

12 Plaintiffs,)

13 v.)

14 CONAM INSPECTION AND ENGINEERING)
 SERVICES, INC.,)

15 Defendant.)

CASE NO.: 3:07-cv-04956-SI

CLASS ACTION

STIPULATION AND [PROPOSED]
 ORDER FOR CONTINUANCE OF
 FURTHER CASE MANAGEMENT
 CONFERENCE AND EXPERT
 DESIGNATION DEADLINES

Courtroom: 10
 Judge: Hon. Susan Illston

16)
 17)
 18)
 19)
 20)

21 Plaintiffs Gerald Lee and Steven Taylor and Defendant Conam Inspection and
 22 Engineering Services, Inc., through their attorneys of record, jointly submit the following
 23 stipulation for continuance of further case management conference and expert designation
 24 deadline in this action.

25 WHEREAS, Plaintiffs filed their motion for class certification on August 1, 2008,
 26 Defendant filed its opposition on August 15, 2008, and Plaintiffs filed their reply brief on August
 27 22, 2008;

28 70397055.1

1 WHEREAS, the parties believe it is in their best interests and in the best interests of
2 judicial efficiency to attempt to resolve this matter through mediation;

3 WHEREAS, the parties have agreed to mediation with Mark Rudy of Rudy, Exelrod &
4 Zieff, a mediator with substantial experience in employment class-action litigation;

5 WHEREAS, the parties have reserved with Mark Rudy the date of October 13, 2008 to
6 conduct the mediation;

7 WHEREAS, by Orders of August 19, 2008 (electronic Document No. 34), the hearing on
8 Plaintiffs' motion for class certification was rescheduled to November 7, 2008 in order to allow
9 the parties the opportunity to attempt to settle this matter through mediation prior to the hearing;

10 WHEREAS the parties believe that it would promote judicial efficiency as well as the
11 interests of all of the parties to continue the case management conference currently set for
12 October 3, 2008 until November 7, 2008, so that it may occur after the Court's hearing on class
13 certification and after the parties mediate on October 13, 2008;

14 WHEREAS, by Orders of January 17, 2008 (electronic Document No. 15) the parties' last
15 day to designate experts in this action is October 6, 2008;

16 WHEREAS, the parties are continuing to analyze the information and discovery
17 exchanged in this action thus far in an effort to ascertain salient facts necessary for mediation;

18 WHEREAS, investigation and analysis in this action are ongoing and will not be
19 completed before the mediation, the parties believe that it is in their best interests and would be
20 more practical and efficient for the currently scheduled expert designation deadline and related
21 cut-off dates to be continued until after the mediation in order to allow the parties enough time to
22 determine whether experts should be designated in this action.

23 IT IS HEREBY AGREED AND STIPULATED BETWEEN THE PARTIES THAT:

24 1. The further case management conference currently set for October 3, 2008 at 2:30
25 p.m. will be rescheduled to November 7, 2008, at 2:30 p.m., so to be conducted after Plaintiffs'
26 motion for class certification is heard.

