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12 Attorneys for Defendant

13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**



16 RICHARD HOM, an individual on  
 17 behalf of himself and JUSTIN  
 18 KELLEY, an individual, on behalf of  
 himself, and on behalf of all persons  
 similarly situated,

19 Plaintiff,

20 vs.

21 DHL EXPRESS (USA), INC., an Ohio  
 22 corporation conducting business in the  
 State of California, and Does 1 to 10.

23 Defendants.  
 24

CASE NO. C 08-03756 JL

Magistrate James Larson  
 Courtroom: F, 15th Floor

UPDATED JOINT CASE  
 MANAGEMENT STATEMENT

Date: June 17, 2009  
 Time: 10:30 a.m.

1 As requested by the Court, Plaintiffs Richard Hom and Justin Kelley  
 2 ("Plaintiffs") and Defendant DHL Express (USA) Inc., ("Defendant") ("the  
 3 Parties") submit this updated Joint Case Management Statement in preparation for  
 4 the Case Management conference to be held on June 17, 2009 at 10:30 a.m. before  
 5 Judge James Larson.

6  
 7 To date the parties have engaged in informal and formal written discovery.  
 8 The parties have four depositions (two named Plaintiffs, and two managers) set for  
 9 early July. The parties have a private mediation set for August 6, 2009 before  
 10 Michael Loeb of JAMS. Therefore the parties request that the Court vacate the  
 11 June 17, 2009 Case Management Conference date and re-set a conference ~~for late~~  
 12 ~~in August 2009~~ to ascertain whether the parties have been able to resolve the  
 13 matter. The Case Management Conference has been continued to September 16, 2009 at  
 14 10:30 a.m.

15  
 16  
 17 DATED: June 8, 2009

MORRIS and ASSOCIATES

18 By: Stephen B. Morris  
 19 STEPHEN B. MORRIS  
 20 Attorneys for Plaintiffs

21 DATED: June 8, 2009

LITTLER MENDELSON, APC

22 By: Laura E. Hayward  
 23 LAURA E. HAYWARD  
 24 R. BRIAN DIXON  
 25 Attorneys for Defendant  
 26  
 27  
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