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21 UNITED STATES DISTRICT COURT
 22 NORTHERN DISTRICT OF CALIFORNIA

23 RICHARD HOM, an individual on behalf
 24 of himself and JUSTIN KELLEY, an
 25 individual on behalf of himself and on
 26 behalf of all persons similarly situated,

27 Plaintiffs,

28 v.

29 DHL EXPRESS (USA), INC., an Ohio
 30 corporation conducting business in the
 31 State of California, and DOES 1 through
 32 10,

33 Defendants.

Case No. CV-08-3756 JL

**STIPULATION AND ~~PROPOSED~~ ORDER
 VACATING CASE MANAGEMENT
 CONFERENCE**

Date: January 20, 2010
 Time: 10:30 a.m.


1 Plaintiffs Richard Hom and Justin Kelley ("Plaintiffs") and Defendant DHL Express
2 (USA) Inc., ("Defendant") (the "Parties") submit this Stipulation and Proposed Order Vacating Case
3 Management Conference set for January 20, 2010 at 10:30 a.m. before Judge James Larson.

4 The Court has approved the parties Joint Motion for Preliminary Approval of Class
5 Action Settlement and has set a final approval hearing for April 14, 2010 at 9:30 a.m. The parties
6 are currently carrying out their respective duties under the settlement agreement and do not believe a
7 case management conference is necessary at this time. As a result, the parties hereby request that the
8 case management conference set for January 20, 2010 be vacated.

9 Dated: January 13th, 2010

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12 STEPHEN B. MORRIS
13 MORRIS AND ASSOCIATES
14 Attorneys for Plaintiffs

15 Dated: January 13, 2010

16 
17 R. BRIAN DIXON
18 LAURA E. HAYWARD
19 LITTLER MENDELSON
20 A Professional Corporation
21 Attorneys for Defendant
22 DHL EXPRESS (USA) INC.

23 IT IS SO ORDERED.

24 Dated: January 14, 2010

25 
26 UNITED STATES DISTRICT JUDGE
27 JAMES LARSON