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13 Attorneys for Defendant,
 SPRINT SOLUTIONS, INC.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 RUDOLPH THOMAS, Individually
 17 and on behalf of all others similarly
 18 situated,,
 19

Plaintiff,

v.

20 SPRINT SOLUTIONS, INC., d/b/a
 21 SPRINT, SPRINT PCS and/or
 22 NEXTEL,
 23

Defendants.

Case No. CV 08 5119 TEH

**STIPULATION & ~~PROPOSED~~
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**

Dept: 12
 Judge: Hon. Thelton Henderson

[Complaint Filed: November 10, 2008]

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1 **STIPULATION**

2 WHEREAS, on June 9, 2010, the Court entered an order scheduling a case
3 management conference on October 4, 2010 for control purposes, and ordered the
4 parties to advise the Court in a stipulated request to continue the case management
5 conference for not more than 120 days if the FCC matter has yet to be resolved by
6 that date;

7
8 WHEREAS, on September 28, 2010, the Court entered an order continuing
9 the case management conference to January 31, 2011 at 1:30 p.m. and ordered that
10 the parties file a joint case management conference statement on or before
11 January 24, 2011;

12
13 WHEREAS, on January 25, 2011, the Court entered an order continuing the
14 case management conference to April 25, 2011 at 1:30 p.m. and ordered that the
15 parties file a joint case management conference statement on or before April 18,
16 2011;

17
18 WHEREAS, the FCC matter has not yet been resolved as of the date of filing
19 of this Stipulation;

20
21 WHEREAS, Plaintiff intends to file a Motion to Lift the Stay in this case,
22 which Sprint contends is improper and intends to oppose;

23
24 The parties STIPULATE that the case management conference shall be
25 continued to June 20, 2011 at 1:30 p.m., or any date thereafter convenient for the
26 Court's calendar, and the hearing on Plaintiff's Motion to Lift the Stay shall be heard
27 on the same date at the same time, unless the FCC resolves the matter prior to that
28 date, in which case the parties will contact the Court within two weeks of the FCC's

1 ruling and request a case management conference with this Court within the earliest
2 reasonable time frame.

3
4 Dated: April 14, 2011

5 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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7 By _____ /s Fred R. Puglisi

8
9 FRED R. PUGLISI
10 Attorneys for Defendant
11 SPRINT SOLUTIONS, INC.

12 Dated: April 14, 2011

13
14 Meade & Schrag LLP

15
16 By _____ /s Michael Schrag

17 Attorneys for Plaintiffs
18 RUDOLPH THOMAS and ASHLEE SMITH

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~~PROPOSED~~ ORDER

The Case Management Conference currently set for April 25, 2011 is continued to June 20, 2011 at ~~1:30 p.m.~~ 10:00 a.m.

Plaintiff shall notice his Motion to Lift the Stay, if any, for June 20, 2011 at ~~1:30 p.m.~~ 10:00 a.m.

The parties shall meet and confer and file a joint case management conference statement on or before June 13, 2011.

IT IS SO ORDERED.

Dated: April 19, 2011

