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17	Attorneys for Defendants VECTOR MARIETING CORPORATION			
18	UNITED STATES DISTRICT COURT			
19	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
20		Case No.: CV 08 5198 EMC		
21	behalf of all others similarly situated,	JOINT STIPULATION RE: STAY OF		
22	Plaintiffs, vs.	PRODUCTION OF PLAINTIFF'S EMPLOYMENT RECORDS PENDING		
23		DISPOSITION OF PLAINTIFF'S		
24	VECTOR MARKETING CORPORATION, a Pennsylvania corporation; and DOES 1 through	MOTIONS TO QUASH SUBPOENAS AND SHORTENING TIME ON SAID		
25	20, inclusive,	MOTIONS; [PROPOSED] ORDER		
26	Defendants.	Assigned to the Hon. Edward M. Chen,		
27		Courtroom C		
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	JOINT STIPULATION AND [PROPOSED] ORDER			
		Dockets.Justia.com		

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2	ADDITIONAL PLAINTIFF'S COUNSEL
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	JOINT STIPULATION AND [PROPOSED] ORDER

1	Plaintiff Alicia Harris ("Plaintiff") and Defendant Vector Marketing Corp.			
2	("Defendant") (collectively, the "Parties"), by and through their counsel of record, hereby			
3	stipulate and agree as follows:			
4	WHEREAS, Defendant served subpoenas upon Radio Shack Corporation, Macy's Inc.,			
5 6	and Pinkberry Inc. seeking production of Plaintiff's employment records ("Employment Records			
7	Subpoenas").			
8	WHEREAS, Plaintiff intends to promptly file Motions to Quash said Employment			
9	Records Subpoenas.			
10	WHEREAS, the filing of the Motions to Quash does not preclude compliance with			
11				
12	Defendant's validly issued Employment Records Subpoenas.			
13	WHEREAS, the Court's disposition of Plaintiff's Motions to Quash could affect the			
14	scope production and the third parties' obligations to comply with the Employment Records			
15	Subpoena.			
16 17	WHEREAS, the certification briefings are set to be filed in September 2010, and the			
18	production of Plaintiff's employment records may be relevant to the claims and defenses			
19	addressed in the Parties' certification papers.			
20	NOW THEREFORE, IT IS HEREBY STIPULATED by the Parties herein, through			
21	their counsel of record, as follows:			
22	(1) Plaintiff shall file her Motions to Quash the Employment Records Subpoenas on			
23	or before Friday, July 23, 2010, Defendant shall file its opposition to the Motions to Quash on or			
24				
25	before July 30, 2010, and Plaintiff shall file her Reply on or before August 4, 2010.			
26 27	(2) The Motions to Quash shall be heard on August 11, 2010, at 10:30 a.m., or on a			
28	date or time as soon thereafter as convenient for the Court. If, for the convenience of the Court,			
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	JOINT STIPULATION AND [PROPOSED] ORDER			

1	the Motions to Quash cannot be heard on August 11, 2010 due to the Court's docket, the parties		
2	agree to telephonic appearances on any other available hearing date and if the Court finds oral		
3	arguments helpful and necessary to the disposition of said Motions.		
4 5	(3) The date for production of the documents requested in the subpoenas to Radio		
6	Shack Corporation, Macy's Inc., and Pinkberry Inc. shall be stayed pending the Court's order on		
7	Plaintiff's Motions to Quash, provided that Plaintiff files her Motions to Quash on or before July		
8	23, 2010.		
9	(4) The Parties shall jointly notify the recipients of the Employment Records		
10	Subpoenas immediately following the Court's issuance of its Order on the Motions to Quash. To		
11	the extent Plaintiff fails to file her Motions to Quash on or before July 23, 2010, Vector shall		
12			
13	inform the recipients of the Employment Records Subpoenas of their duty to timely comply with		
14 15	the validly issued subpoenas given Plaintiff's non-compliance with this Joint Stipulation and		
16	Order.		
17	Dated: July 16, 2010 MARLIN & SALTZMAN		
18	By: <u>/S/</u> Christina A. Humphrey, Esq.		
19	Attorneys for Plaintiff		
20			
21	Dated: July 16, 2010 REED SMITH, LLP		
22	By: <u>/S/</u> Roxanne M. Wilson, Esq.		
23	Attorneys for Defendant		
24	I, Christina A. Humphrey, attest that I have obtained concurrence from Roxanne M.		
25	Wilson in the filing of this Stipulation. See N.D. Cal. General Order 45 § 10(B).		
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	JOINT STIPULATION AND [PROPOSED] ORDER		

1	GOOD CAUSE APPEARING, IT IS SO ORDERED, that:		
2	(1	(1) Plaintiff shall file her Motions to Quash the Employment Subpoenas on or before	
3	Friday, J	ıly 23, 2010;	
4	(2	Defendant shall file its opposition to the Motions to Quash on or before July 30,	
5	2010;		
6	(3	Plaintiff shall her reply in support of the Motions to Quash on or before August 4,	
7	2010;		
8	(4	The hearing on the Motions to Quash shall be set for August 11, 2010 or as soon	
9	thereafter	as may be convenient for the Court.	
10			
11		TES DISTRICT	
12	DATED:		
13		HOMORABLE EDWARD - ACHEN	
14		TT IS SO ORDERED	
15		E Chen E	
16		Z Judge Edward M. Chen	
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18		DISTRICT OF CR	
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		JOINT STIPULATION AND [PROPOSED] ORDER	