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19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 ERIC GUNDERSEN, on behalf of himself
 22 and all others similarly situated,

23 Plaintiff,

24 v.

25 LENNAR ASSOCIATES MANAGEMENT,
 26 LLC; LENNAR CORPORATION dba
 LENNAR HOMES, and DOES 1 through 10,
 inclusive,

27 Defendants.
 28

Case No. CV-09-2270 CRB

STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE HEARING ON
 DEFENDANTS’ MOTION TO DENY
 CLASS CERTIFICATION

STIPULATION AND [PROPOSED ORDER] TO
 CONTINUE HEARING ON LENNAR’S MOTION
 CASE NO.: CV-09-2270 CRB

1 Pursuant to Rule 4 of the Honorable Judge Breyer’s Standing Order, and subject to the
2 Court’s approval, Defendants Lennar Associates Management, LLC, and Lennar Corporation dba
3 Lennar Homes, (collectively “Lennar”), and Plaintiff Eric Gundersen (“Gundersen”) hereby
4 Stipulate to a continuance of Lennar’s Motion to Deny Class Certification [D.E. #100]
5 (“Motion”), currently scheduled for July 23, 2010, to reset it for August 20, 2010, and they show
6 as follows:

7 1. Plaintiff has not yet responded to Lennar’s Motion.

8 2. Plaintiff’s lead counsel has a scheduling conflict that precludes appearance in
9 person at the July 23, 2010 hearing. Plaintiff thus requested, and Lennar agreed, to seek to
10 reschedule the hearing to August 20, 2010.

11 3. The parties thus hereby stipulate to and respectfully request that the Court approve
12 a continuance of the hearing to August 20, 2010, at 10:00 a.m.

13 4. By so stipulating, Plaintiff does not waive any right to seek further continuance of
14 this hearing. Plaintiff intends to file an ex parte application next week requesting that the subject
15 motion be heard at the same time as Plaintiff’s motion to certify the class, which he anticipates
16 filing in February 2011. Lennar reserves the right to oppose Plaintiff’s request for any further
17 continuances of the hearing date.

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1 Dated: June 17, 2010

MEYER WHITE LLP

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3 By: /s/ Cindi L. Pusateri

Cindi L. Pusateri

Counsel for Defendants

4 LENNAR ASSOCIATES MANAGEMENT,
5 LLC; LENNAR CORPORATION dba
6 LENNAR HOMES

7 Dated: June 17, 2010

HINTON, ALFERT & SUMMER

8
9 By: /s/ Aaron D. Kaufmann

Aaron D. Kaufmann

Counsel for Plaintiff

10 ERIC GUNDERSEN
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12
13 **ORDER**

14 PURSUANT TO THE STIPULATION, IT IS ORDERED.

15 The hearing on Lennar's Motion to Deny Certification presently set for July 23, 2010, is
16 continued to 10:00 a.m. on August 20, 2010.

17 Dated: June 22, 2010

