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13 UNITED STATES DISTRICT COURT

14 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

15			
16	EKA NINUA, on behalf of herself and	)	Case No. CV 09 4045 JSW
17	others similarly situated,	)	
18	Plaintiffs,	)	<b>STIPULATION AND <del>PROPOSED</del></b>
19	v.	)	<b>ORDER TO CONTINUE DEADLINE FOR</b>
		)	<b>FILING MOTION FOR CLASS</b>
		)	<b>CERTIFICATION</b>
20	REGIS CORPORATION; and DOES 1 to	)	
21	50, inclusive,	)	Filing Date: July 13, 2009
		)	Trial Date: March 7, 2011
22	Defendants.	)	

23 **TO THE HONORABLE COURT:**

24 Plaintiff Eka Ninua (“Plaintiff”) and Defendant Regis Corporation (“Defendant”)  
 25 (collectively the “Parties”) and hereby stipulate and seek an order of the Court to continue the  
 26 deadline for Plaintiff to file her motion for class certification in this case, as follows:  
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1. Per the Court’s June 4, 2010 Order, the deadline for Plaintiff to file a Motion for Class Certification is currently September 30, 2010.

2. On August 3, 2010, Plaintiff filed a letter brief asking the Court to compel production of a single category of documents (“the Motion to Compel”). Plaintiff filed the Motion to Compel after engaging in a three week long effort to meet and confer to resolve the issues raised therein.

3. On August 5, 2010, the parties received notice from the court that the discovery dispute would be referred to a magistrate judge for handling. On August 10, 2010, the parties received notice that the matter had been referred to magistrate Judge Edward Chen and the matter was scheduled for hearing on September 22, 2010.

4. Plaintiff contends that the documents sought by her Motion to Compel are necessary for Plaintiff to prepare a meaningful and fully informed brief in support of Class Certification. Without expressing any position as to the merits of the Motion, in the event it is granted, it is doubtful that Plaintiff will receive the responsive documents in sufficient time to analyze them and incorporate the information into her Motion for Class Certification, which is currently due to be filed on September 30, 2010.

5. The parties are scheduled to conduct a mediation on October 28, 2010. Due to the mediator's schedule, an earlier date could not be secured. An extension of the class certification filing deadline to November will avoid an unnecessary motion if the case settles at mediation.

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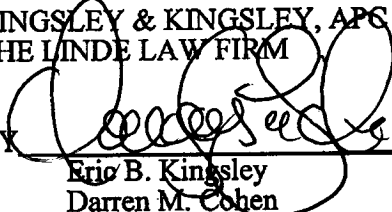
WHEREFORE, it is hereby stipulated by and between the parties that the deadline Plaintiff to file a Motion for Class Certification in this matter be continued from September 30, 2010 to November 19, 2010, or such other later date as the Court should determine.

Respectfully submitted,

Date: August 17, 2010

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BY

  
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Darren M. Cohen  
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Attorneys for Plaintiff EKA NINUA

Date: August 17, 2010

SEYFARTH SHAW LLP

BY

  
Catherine M. Dacre

Attorneys for Defendant REGIS CORPORATION

**PROPOSED ORDER**

Good cause appearing therefore, as set forth in the above stipulation, the court-ordered deadline for Plaintiff to file her Motion for Class Certification is hereby extended to November 19, 2010.

**IT IS SO ORDERED.**

DATED: August 23, 2010



HON. JEFFREY S. WHITE  
UNITED STATES DISTRICT COURT JUDGE