

1 (Counsel listed on next page)

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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11 JOE LEWIS LUQUE AND HERMAN
12 RICHARDSON, Individually and On Behalf of All
13 Others Similarly Situated

14 Plaintiffs,

15 vs.

16 AT&T CORP., PACIFIC BELL TELEPHONE
17 CO. d/b/a AT&T CALIFORNIA, AND AT&T
18 COMMUNICATIONS OF CALIFORNIA, INC.,

19 Defendants.

No. C-09-5885-CRB (JCS)

**STIPULATION AND ~~[PROPOSED]~~
ORDER RE: DATE OF HEARING ON
MOTION FOR CONDITIONAL
CERTIFICATION AND CASE
MANAGEMENT CONFERENCE**

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STIPULATION

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2 Plaintiffs Joe Lewis Luque and Herman Richardson and defendants AT&T Corp., Pacific Bell
3 Telephone Company, and AT&T Communications of California, Inc., acting through their counsel of
4 record, hereby stipulate as follows:

5 1. The hearing on plaintiffs’ motion for conditional certification is set for August 27, 2010.
6 The case management conference in this action currently is scheduled for that same date.

7 2. On the parties’ stipulation, the Court continued the hearing on plaintiffs’ motion for
8 conditional certification from June 25, 2010 to August 27, 2010, to permit pre-conditional certification
9 discovery. The parties have been diligently conducting discovery but have been unable to complete
10 depositions by the agreed-upon date of July 20, 2010, so that the deposition testimony may be
11 incorporated into defendants’ opposition brief, which is currently due on July 30, 2010.

12 3. Accordingly, the parties believe it would serve the interests of convenience and judicial
13 economy if the hearing on the motion for conditional certification and the case management conference
14 were continued until September 24, 2010. Defendants’ deadline for filing an opposition to plaintiffs’
15 motion will be August 27, 2010, and plaintiffs’ reply will be due on September 10, 2010. The parties
16 will complete the depositions previously ordered by this Court by August 20, 2010, so that the
17 deposition testimony may be relied upon by defendants in their opposition brief.

18 4. A further postponement of the hearing on plaintiffs’ motion for conditional certification
19 and the case management conference will not affect the overall schedule in the case as the parties will
20 proceed with pre-certification discovery and continue briefing on plaintiffs’ motion in advance of the
21 September 24 hearing.

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1 Dated: July 20, 2010.

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13 By: /s/ Steven L. Wittels
14 Steven L. Wittels
15 Attorneys for Plaintiffs
16 Joe Lewis Luque and Herman Richardson

17 Dated: July 20, 2010.

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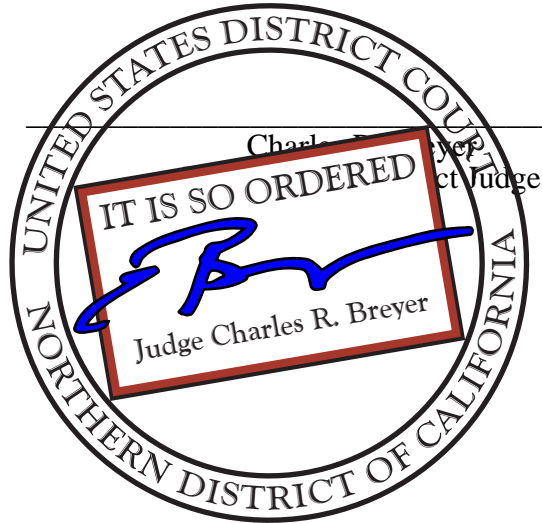
23 By: /s/ Jeffrey D. Wohl/
24 Jeffrey D. Wohl
25 Attorneys for Defendants
26 AT&T Corp., Pacific Bell Telephone Company, and
27 AT&T Communications of California, Inc.

ORDER

On the stipulation of the parties, and good cause appearing therefor,

IT IS ORDERED that hearing on plaintiffs' motion for conditional certification and the case management conference currently scheduled for August 27, 2010, will be continued to September 24, 2010. Defendants' deadline for filing an opposition to plaintiffs' motion will be August 27, 2010, and plaintiffs' reply will be due on September 10, 2010. The parties will complete the depositions previously ordered by this Court by August 20, 2010.

Dated: July 20, 2010.



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