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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

19 ANTHONY VILLA, as an individual and on
 behalf of all others similarly situated,

20 Plaintiff,

21 v.

22 TYCO ELECTRONICS CORPORATION, a
 23 corporation; and DOES 1 through 50
 inclusive,

24 Defendants.

Case No. CV 10-00516 MHP

STIPULATION AND ~~PROPOSED~~
 ORDER CHANGING HEARING DATE
 AND TIME TO FILE MOTIONS,
 OPPOSITIONS/DISCOVERY
 STATEMENTS, AND REPLIES

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9 Attorneys for Defendant
10 TYCO ELECTRONICS CORPORATION

11 Pursuant to Civil Local Rule 6-2, plaintiff Anthony Villa (“Plaintiff”) and
12 defendant Tyco Electronics Corporation, (“Defendant”), hereby request that the Court grant the
13 parties an extension of the deadlines to file motions, oppositions/discovery statements, and replies
14 as outlined below. In support of this request, the parties represent and stipulate as follows:

15 1. On May 17, 2010, following the case management conference, the Court
16 issued a scheduling order setting July 19, 2010 as the deadline to file motions; August 2, 2010 as
17 the deadline to file oppositions/discovery statements; August 9, 2010 as the deadline to file
18 replies; and August 23, 2010 as the hearing date for motions.

19 2. Defendant took Plaintiff’s deposition on June 17, 2010, which was the
20 earliest date available for the parties following the case management conference.

21 3. Defendant contends there are additional documents necessary for its motion
22 for summary judgment, including telephone and bank/credit card records, though Plaintiff has
23 testified that he has produced all of the documents requested in his possession. The parties are
24 meeting and conferring in an effort to resolve this issue.

25 4. Defendant also did not receive a final copy of the transcript of Plaintiff’s
26 deposition until the evening of June 29, 2010. Thus, although plaintiff’s deposition was
27 scheduled for the earliest date available for the parties following the case management
28 conference, with the timing of the deposition and the turn-around time for the deposition

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transcript, Defendant did not receive a final copy of the transcript until three weeks prior to the current deadline to file motions. Further, the fourth of July holiday falls right in this period, and defense counsel has travel plans with their respective families which they cannot reschedule. Defendant believes that it needs sufficient time to review the transcript and conduct any necessary further investigation before it can file its motion for summary judgment.

5. Extending the current deadlines as outlined below will allow the parties time to meet and confer regarding additional documents Defendant contends it needs and for Defendant to review the final deposition transcript in order to prepare its motion for summary judgment. It will also allow sufficient time for Plaintiff to oppose Defendant’s motion and/or file a discovery statement, and for Defendant to reply to Plaintiff’s opposition prior to the hearing on the motion.

- Motions to be filed: 8/13/10
- Oppositions/Discovery Statement to be filed: 8/27/10
- Reply to be filed: 9/3/10
- Hearing: 9/17/10 or as soon thereafter as the Court prefers.

For the reasons stated above, the parties respectfully request that the Court grant their request to extend the current deadlines to the dates outlined in Paragraph 5 above.

IT IS SO STIPULATED.

Dated: June 30, 2010

_____/s/
KIMBERLY WESTMORELAND
LAW OFFICES OF PETER M. HART

Attorneys for Plaintiff
ANTHONY VILLA

Dated: June 29, 2010

_____/s/
AMIRA B. DAY
ORRICK, HERRINGTON & SUTCLIFFE
LLP

Attorneys for Defendant
TYCO ELECTRONICS CORPORATION

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~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation, the hearing date and deadlines to file motions, oppositions/discovery statements, and replies shall be extended as follows:

- Motions to be filed: 8/13/10
- Oppositions/Discovery Statement to be filed: 8/27/10
- Replies to be filed: 9/3/10
- Hearing set for : _ 9/20/2010 at 2:00 p.m. ___

IT IS SO ORDERED.

Dated: July 1, 2010

