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 PAYCHEX, INC.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

DANIELLE WARREN, and all others
 similarly situated,

Plaintiff,

v.

PAYCHEX, INC.

Defendant.

Case No. C 10-02006 JCS

**STIPULATION AND [PROPOSED]
 ORDER REGARDING CONTINUATION
 OF MEDIATION, CASE MANAGEMENT
 CONFERENCE AND CLASS
 CERTIFICATION MOTION**

1 Plaintiff Danielle Warren (“Plaintiff”) and Defendant Paychex, Inc. (“Defendant”)
2 (collectively, “The Parties”), by and through their respective counsel of record, stipulate and
3 agree as follows:

4 1. During the initial case management conference in this matter on August 27, 2010,
5 after counsel for the Parties expressed a mutual willingness to go to private mediation, the Court
6 instructed the parties to select a mediator, schedule a mediation date and then file a notice
7 informing the Court of the selected mediator and mediation date within one (1) week. The Court
8 also set a deadline for Plaintiff to file her anticipated motion for class certification for March 4,
9 2011, and instructed the parties to agree to a briefing and hearing schedule following that
10 deadline.

11 2. Based on the proposed schedule for mediation discussed at the initial case
12 management conference, the Court scheduled a post-mediation case management conference for
13 December 10, 2010.

14 3. On August 31, 2010, Plaintiff propounded on Defendant multiple discovery
15 requests, including requests for production of documents, special interrogatories, and a
16 deposition notice for Defendant’s person(s) most knowledgeable regarding multiple subjects.

17 4. On September 3, 2010, the Parties jointly filed Notice of Selected Mediator and
18 Mediation Schedule to inform the Court that: (1) The Parties had agreed to use Michael
19 Dickstein as the mediator for this case; and (2) the Parties had scheduled a mediation for
20 November 10, 2010.

21 5. On September 16, 2010, Defendant propounded on Plaintiff multiple discovery
22 requests, including requests for production of documents, special interrogatories, and a
23 deposition notice for Plaintiff.

24 6. During the week of September 13, 2010, the Parties discussed streamlining the
25 discovery responses to be provided by both Parties in an attempt to identify the information and
26 documents most important for a productive mediation; in addition, the Parties discussed
27 scheduling depositions considered by the Parties to be essential to a productive mediation. As a
28 result of such conversations, the Parties determined that they both required additional time to

1 PURSUANT TO THE ABOVE-NOTED STIPULATION, THE COURT HEREBY ORDERS
2 THAT:

3 1. The previously-scheduled mediation date of November 10, 2010 is continued to
4 January 12, 2011; and

5 2. The previously-scheduled case management conference date of December 10,
6 2010 is continued to Friday, January 21, 2011 at 1:30 pm.;

7 3. The previously-scheduled deadline of March 4, 2011 for Plaintiff to file a motion
8 for class certification is continued to May 6, 2011; and

9 4. The briefing schedule for Plaintiff's certification motion is: Plaintiff's motion
10 (and all supporting documents) will be filed on or before May 6, 2011; Defendant's opposition to
11 the motion (and all supporting documents) will be filed on or before June 17, 2011; Plaintiff's
12 reply, if any, will be filed on or before July 8, 2011; ~~and the motion will be heard on August 6,~~
13 ~~2010 at 9:30 a.m.~~

14
15 IT IS SO ORDERED.

16 Dated: 09/21, 2010

17 By: JOSEPH C. SPERO
18 United States Magistrate Judge



