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	18	UNITED STATES DISTRICT COURT					
	19	NORTHERN DISTRICT OF CALIFORNIA					
	20		i				
	21	DANIELLE WARREN, and all others similarly situated,		Case No. C 10-	02006 JCS		
	22				N AND [PROPOSED]		
	23	Plaintiff,		OF MEDIATION	ARDING CONTINUA ON, CASE MANAGE		
	24	v.		CONFERENC CERTIFICAT	E ÁND CLASS ION MOTION		
		PAYCHEX, INC.		CENTIFICATI			
	25	Defendant.					
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		1 Case No. C 10-02006 JCS STIPULATION AND [PROPOSED] ORDER REGARDING CONTINUATION OF CASE DEADLINES					
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(collectively, "The Parties"), by and through their respective counsel of record, stipulate and agree as follows:

1. During the initial case management conference in this matter on August 27, 2010, after counsel for the Parties expressed a mutual willingness to go to private mediation, the Court

Plaintiff Danielle Warren ("Plaintiff") and Defendant Paychex, Inc. ("Defendant")

- instructed the parties to select a mediator, schedule a mediation date and then file a notice informing the Court of the selected mediator and mediation date within one (1) week. The Court also set a deadline for Plaintiff to file her anticipated motion for class certification for March 4, 2011, and instructed the parties to agree to a briefing and hearing schedule following that deadline.
- Based on the proposed schedule for mediation discussed at the initial case management conference, the Court scheduled a post-mediation case management conference for December 10, 2010.
- 3. On August 31, 2010, Plaintiff propounded on Defendant multiple discovery requests, including requests for production of documents, special interrogatories, and a deposition notice for Defendant's person(s) most knowledgeable regarding multiple subjects.
- 4. On September 3, 2010, the Parties jointly filed Notice of Selected Mediator and Mediation Schedule to inform the Court that: (1) The Parties had agreed to use Michael Dickstein as the mediator for this case; and (2) the Parties had scheduled a mediation for November 10, 2010.
- On September 16, 2010, Defendant propounded on Plaintiff multiple discovery requests, including requests for production of documents, special interrogatories, and a deposition notice for Plaintiff.
- 6. During the week of September 13, 2010, the Parties discussed streamlining the discovery responses to be provided by both Parties in an attempt to identify the information and documents most important for a productive mediation; in addition, the Parties discussed scheduling depositions considered by the Parties to be essential to a productive mediation. As a result of such conversations, the Parties determined that they both required additional time to

prepare for the mediation in this matter, and that a productive mediation would most likely occur only if the Court continued the mediation dates scheduled in this matter. They also agreed to limit their discovery and other litigation efforts only to that which is needed for a productive mediation.

- 7. On September 17, 2010, the Parties confirmed a new available date of January 12, 2011 with their selected mediator, Michael Dickstein, and agreed to seek the Court's approval to continue the mediation date and post-mediation status conference date accordingly.
- 8. On September 17, 2010, counsel for Defendant confirmed with the Court's clerk that the Court could schedule a post-mediation case management conference on Friday, January 21, 2011, at 1:30 pm.
- 9. The Parties hereby stipulate to continue: (1) the previously-scheduled mediation date to January 12, 2011; (2) the previously-scheduled case management conference to January 21, 2011; and (3) the deadline for Plaintiff to file her motion for class certification to May 6, 2011.
- 10. The parties stipulate to the following proposed briefing schedule for the certification motion: Plaintiff's motion (and all supporting documents) will be filed on or before May 6, 2011; Defendant's opposition (and all supporting documents) will be filed on or before June 17, 2011; Plaintiff's reply, if any, will be filed on or before July 8, 2011; and the motion will be heard on August 6, 2011 at 9:30 a.m. .

IT IS SO STIPULATED.

Dated: September 21, 2010 RUDY EXELROD ZIEFF & LOWE LLP

By: /s/ Steven G. Zieff
Steven G. Zieff
David A. Lowe
John T. Mullan

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1	Dated: September 21, 2010	NELSON LAW GROUP
2		By: /s/ Robert S. Nelson
3		Robert S. Nelson
4		Attorneys for Plaintiffs DANIELLE WARREN and all others similarly
5		situated with the situated
6	Detade Contember 21, 2010	OCLETREE DEAVING MACH CMOAV &
7	Dated: September 21, 2010	OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
8		
9		By: /s/ Jack S. Sholkoff Jack S. Sholkoff Beth A. Gunn
10		Attorneys for Defendant PAYCHEX, INC.
11		TATCHLA, INC.
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STIPULATION AND [PROPOSED] ORDER REGARDING CONTINUATION OF CASE DEADLINES

Case No. C 10-02006 JCS

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

- 1. The previously-scheduled mediation date of November 10, 2010 is continued to January 12, 2011; and
- 2. The previously-scheduled case management conference date of December 10, 2010 is continued to Friday, January 21, 2011 at 1:30 pm.;
- 3. The previously-scheduled deadline of March 4, 2011 for Plaintiff to file a motion for class certification is continued to May 6, 2011; and
- 4. The briefing schedule for Plaintiff's certification motion is: Plaintiff's motion (and all supporting documents) will be filed on or before May 6, 2011; Defendant's opposition to the motion (and all supporting documents) will be filed on or before June 17, 2011; Plaintiff's The Court will set a hearing date. reply, if any, will be filed on or before July 8, 2011; and the motion will be heard on August 6,

2010 at 9:30 a.m.

IT IS SO ORDERED.

Dated: 09/21 , 2010

Ву:

JOSEPH Judge Joseph C. Spero
United States Magistrate Judge

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GENERAL ORDER 45 ATTESTATION I, Jack S. Sholkoff, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING CONTINUATION OF MEDIATION, CASE MANAGEMENT CONFERENCE AND CLASS CERTIFICATION MOTION. In compliance with General Order 45, X.B., I hereby attest that Rob Nelson and Steven Zieff have concurred in this filing. Dated: September 21, 2010 /s/ Jack S. Sholkoff JACK S. SHOLKOFF 9179184.1 (OGLETREE)

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