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17 Attorneys for Defendant
18 FASTENAL COMPANY

19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

21
22 KRISTOPHER DEANE and
MICHAEL ROMANO, individually,
23 and on behalf of all others similarly
situated,
24
Plaintiffs,
25
vs.
26 FASTENAL COMPANY,
27
Defendants.
28

) **Case No. CV11 00042 SI**
) **CLASS ACTION**
) **STIPULATION AND [~~PROPOSED~~] ORDER**
) **TO EXTEND HEARING ON MOTION FOR**
) **CLASS CERTIFICATION**

1 Pursuant to Local Rule 6-2(b), Plaintiffs Kristopher Deane and Michael Romano
2 (“Plaintiffs”) and the putative plaintiff classes, and Defendant Fastenal Company (“Defendant”)
3 enter this Stipulation and submit the accompanying [Proposed] Order to Extend Hearing on Motion
4 for Class Certification based on the following facts:

5 **WHEREAS** the current hearing date for Plaintiffs’ Motion for Class Certification is March
6 16, 2012 at 9:00 a.m. (*See Dkt. 24*).

7 **WHEREAS** Plaintiffs’ Motion for Class Certification is due filed on January 27, 2012,
8 Defendant’s Opposition is due on February 17, 2012 and Plaintiffs’ Reply is due on March 2, 2012.
9 (*See Dkt. 24*).

10 **WHEREAS** after extensive meet and confer efforts, the parties have scheduled depositions
11 of Defendant’s persons most knowledgeable, pursuant to Federal Rule of Civil Procedure Rule
12 30(b)(6) on January 24, 25, and 26, 2012. In addition, the parties continue to meet and confer
13 regarding deposition dates for Plaintiffs, which are unlikely to occur prior to January 1, 2012.

14 **WHEREAS** in light of the deposition schedule outlined above, the parties will need
15 additional time to prepare and file their moving and opposing papers regarding class certification.

16 **THEREFORE**, the parties hereby STIPULATE as follows:

17 The hearing on Plaintiffs’ Motion for Class Certification shall be continued to June 15, 2012
18 at 9:00 a.m. subject to the approval of the Court.

19 Plaintiffs’ Motion for Class Certification will be due filed and served on or before April 27,
20 2012.

21 Defendant’s Opposition will be due filed and served on or before May 18, 2012.

22 Plaintiffs’ Reply will be due filed and served on or before June 1, 2012.

23 Dated: December 2, 2011

24 **SCOTT COLE & ASSOCIATES, APC**

25
26 By: /s/ Hannah R. Salassi
27 Hannah R. Salassi, Esq.
28 Attorneys for the Representative Plaintiffs
And the Plaintiff Classes

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Dated: December 2, 2011

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

By: /s/ Craig Cleland
A. CRAIG CLELAND
EVAN R. MOSES
ERICA K. ROCUSH
Attorneys for Defendant
FASTENAL COMPANY

DECLARATION OF E-FILED SIGNATURE

I, Hannah R. Salassi, Esq., am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order to Extend Hearing on Motion for Class Certification. In compliance with General Order 45, X.B., I hereby declare that Craig Cleland, attorney for Defendant Fastenal Company, has read and approved this Stipulation and [Proposed} Order to Extend Hearing on Motion for Class Certification.

Dated: December 2, 2011

SCOTT COLE & ASSOCIATES, APC

By: /s/ Hannah R. Salassi
Hannah R. Salassi, Esq.
Attorneys for the Representative Plaintiffs
And the Plaintiff Classes

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[PROPOSED] ORDER

IT IS HEREBY ORDERED that:

The hearing on Plaintiffs' Motion for Class Certification is continued to June 15, 2012 at 9:00 a.m.


Plaintiffs' Motion for Class Certification will be due filed and served on or before April 20, 2012.

Defendant's Opposition will be due filed and served on or before May 11, 2012.

Plaintiffs' Reply will be due filed and served on or before May 25, 2012.

IT IS SO ORDERED.

Dated: 12/6, 2011

By: 

The Hon. Susan Illston
United States District Judge