

1 MAYER BROWN LLP
 JOHN NADOLENCO (SBN 181128)
 2 jnadolenco@mayerbrown.com
 LISA W CORNEHL (SBN 232733)
 3 lcornehl@mayerbrown.com
 350 South Grand Avenue
 4 25th Floor
 Los Angeles, CA 90071-1503
 5 Telephone: (213) 229-9500
 Facsimile: (213) 625-0248

6
 7 MAYER BROWN LLP
 DONALD M. FALK (SBN150256)
 dfalk@mayerbrown.com
 8 Two Palo Alto Square, Suite 300
 3000 El Camino Real
 9 Palo Alto, CA 94306-2112
 Telephone: (650) 331-2000
 10 Facsimile: (650) 331-2060

11 Attorneys for Defendant
 AT&T Mobility LLC

12
 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 PATRICK HENDRICKS, on behalf of himself
 and all others similarly situated,

17 Plaintiff,

18 v.

19 AT&T Mobility LLC,

20 Defendant.
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Case No. C11-00409 EMC

**[PROPOSED] ORDER ON AT&T
 MOBILITY LLC'S UNOPPOSED
 MOTION TO STAY**

Hon. Charles R. Breyer

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The Court, having reviewed the submissions and briefings on Defendant’s Unopposed Motion To Stay, and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendant AT&T Mobility LLC’s (“ATTM”) Motion to Stay is **GRANTED**. ATTM’s obligation to respond to the complaint and all further proceedings in this action—except for Hendricks’ motion to appoint interim class counsel—is stayed pending the United States Supreme Court’s resolution of *AT&T Mobility LLC v. Concepcion*, No. 09-893. **IT IS FURTHER ORDERED** that ATTM’s right to compel arbitration will not be waived by opposing the motion to appoint interim class counsel and/or appearing at any hearing on that motion. The parties must file a joint status report within 14 days of the issuance of the final decision of the Supreme Court. The stay shall remain in effect until such time as it may be lifted by order of this Court.

IT IS SO ORDERED.

Date: _____

Honorable Charles R. Breyer
United States District Court

1 **CERTIFICATE OF SERVICE**

2 I am employed in Los Angeles County, California. I am over the age of eighteen years
3 and not a party to the within-entitled action. My business address is 350 South Grand Avenue,
4 25th Floor, Los Angeles, California 90071-1503. On March 1, 2011, the following documents
5 were served electronically via the CM/ECF system:

6 **[PROPOSED] ORDER ON AT&T MOBILITY LLC'S UNOPPOSED MOTION**
7 **TO STAY**

8 I further certify that I mailed the foregoing document in a sealed envelope with postage
9 thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth
10 below:

11 Aaron P. Davis
12 Barry L. Davis
13 Daniel R. Lever
14 THORNTON DAVIS & FEIN, P.A.
15 80 SW Eighth Street
16 Miami, FL 33130
17 Telephone: (305) 446-2646

18 I am readily familiar with the firm's practice of collection and processing correspondence
19 for mailing. Under that practice the envelopes would be deposited with the U.S. Postal Service
20 on that same day with postage thereon fully prepaid in the ordinary course of business. I am
21 aware that on motion of the party served, service is presumed invalid if postal cancellation date
22 or postage meter date is more than one day after date of deposit for mailing in affidavit.

23 I declare that I am employed in the office of a member of the bar of this court at whose
24 direction the service was made.

25 I declare under penalty of perjury under the laws of the State of California that the above
26 is true and correct.

27 Executed on March 1, 2011, at Los Angeles, California.

28 
Simoné Hernandez