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Attorneys for Plaintiffs Ronald Shephard and Henry Romines Individually and on Behalf of All Others Similarly Situated

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

18 RONALD SHEPHARD and HENRY
 19 ROMINES, on behalf of themselves and all
 others similarly situated;
 20
 21 Plaintiffs,
 22 vs.
 23
 24 LOWE'S HIW, INC., and DOES 1 through 50.
 25 Defendants.

CASE NO. 12-CV-03893-JSW
STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE THE
NOVEMBER 9, 2012 HEARING DATE
RE: PLAINTIFFS' MOTION FOR
REMAND TO STATE COURT AND
NOVEMBER 2, 2012 CASE
MANAGEMENT CONFERENCE

1 Counsel for Plaintiffs Ronald Shephard and Henry Romines and for Defendant Lowe's
2 HIW, Inc., in support of their Stipulation to Continue the November 9, 2012 Hearing Date, jointly
3 state as follows:

4 1. Whereas, the Court granted the Parties' Joint Administrative Motion to Modify
5 Briefing Schedule on Plaintiffs' Motion for Remand to State Court and set the hearing date for
6 November 9, 2012 at 9:00 a.m.;

7 2. Whereas, Plaintiffs' counsel is unavailable on November 9, 2012;

8 3. Whereas, counsel for Plaintiffs and for Defendants have met and conferred and
9 agree to stipulate, and request the Court's approval, to continue the November 9, 2012 hearing;

10 4. Whereas, the Parties have agreed and provide the following alternate dates to hear
11 Plaintiffs' Motion all of which the Court has available for the Court: November 16, 2012,
12 December 7, 2012, or December 14, 2012;

13 5. Whereas, the Court has set a Case Management Conference ("CMC") in this case
14 for November 2, 2012. The Parties respectfully submit that it would promote judicial economy
15 and efficiency to continue the CMC and reschedule it for the same date as the hearing on
16 Plaintiffs' Motion to Remand.

17 WHEREAS, THE PARTIES AGREE AND STIPULATE AS FOLLOWS:

18 The November 9, 2012 hearing regarding Plaintiffs' Motion for Remand to State Court be
19 continued to an alternate date provided by the Parties and to be determined by Honorable Jeffrey S.
20 White, and that the CMC currently set for November 2, 2012, be continued to the same date.

21 **SO STIPULATED.**

22
23 Dated: September 6, 2012

COTCHETT, PITRE & MCCARTHY, LLP

24
25 /s/ Matthew K. Edling
MATTHEW K. EDLING

26
27 *Attorneys for Plaintiffs Ronald Shephard and Henry*
Romines Individually and on Behalf of All Others
28 *Similarly Situate*


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~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation and good cause having been shown for the continuance of the hearing date, the Case Management Conference shall be continued and a new hearing date shall be set on Plaintiffs' Motion to Remand and the Case Management Conference, for November 16, 2012 at 9:00 am in Courtroom 11, 19th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED

DATED: September 7, 2012


HONORABLE JEFFREY S. WHITE
United States District Judge