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## JOINT CASE MANAGEMENT STATEMENT & PROPOSED ORDER UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA DANIEL VILLALPANDO, individually and ) Case Number: 12-cv-04137-JCS on behalf of all others similarly situated, Case Number: 13-cv-03091-JCS Plaintiff(s), JOINT CASE MANAGEMENT STATEMENT AND REQUEST TO ) CONTINUE CASE MANAGEMENT ) vs. CONFERENCE; [PROPOSED] ORDER ) EXEL DIRECT INC., DEUTSCHE POST ) DHL, DHL EXPRESS (USA), INC., and ) DOES 1 to 50, ) Defendant(s).

The related *Villalpando v. Exel Direct Inc.*, No. 3:12-cv-04137-JCS, and *Shekur v. Exel Direct Inc.*, No. 4:13-cv-03091-JCS cases are putative class actions alleging violations of California wage and hour laws arising out of Defendants' classification of delivery drivers as independent contractors. On April 8, 2013, the Court scheduled a case management conference for August 23, 2013, in *Villalpando*, to allow the parties an opportunity to have a mediation before Mark Rudy before establishing a revised case management schedule. ECF No. 43. On August 8, 2013, the Court granted the parties' unopposed request to have the later-filed case of *Shekur*, designated as related to *Villalpando*, and reassigned to this Court. ECF No. 49. On August 13, 2013, the parties and counsel in both *Villalpando* and *Shekur* appeared for a mediation with Mark Rudy. The parties made progress, but did not resolve the matter at the mediation. With the assistance of Mr. Rudy, the parties agreed to continue their negotiations over a two-week period to determine if the case might be resolved before resuming formal

litigation. Accordingly, to avoid the possibility of expending resources of the Court and the parties in planning a litigation schedule before the parties determine whether a settlement at this stage is possible, the parties respectfully request that the Court grant a short continuance of the case management conference for two weeks or a date shortly thereafter that is convenient to the Court.

DATED:	August 20, 2013	/s/ Andrew J. Butcher Andrew J. Butcher Scopelitis, Gavin, Light, Hanson & Feary 1850 M Street N.W., Suite 280 Washington, DC 20036-5804 Tel.: (202) 551-9018 Fax: (202) 783-9230 abutcher@scopelitis.com Attorneys for Defendants
DATED:	August 20, 2013	<u>/s/ Linh T. Hua</u> Linh T. Hua Spiro Moore LLP 11377 W Olympic Blvd 5th Floor Los Angeles, CA 90064 (310) 235-2468 Linh@spiromoore.com Attorneys for Plaintiff, Tafiti Shekur
DATED:	August 20, 2013	/s/ Joshua G. Konecky Joshua G. Konecky Schneider Wallace Cottrell Konecky LLP 180 Montgomery Street, Suite 2000 San Francisco, CA 94104 (415) 421-7100 jkonecky@schneiderwallace.com Attorneys for Plaintiff, Daniel Villalpando
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<u>CAS</u>	SE MANAGEMENT ORDER	
Good cause shown, the Cou	rt hereby continues the Case Manageme	nt Conference
currently scheduled for August 23,	2013 at 1:30 p.m., to <u>September 13</u> ,	, 2013 at <u>1:30</u>
[ <del>a.m</del> .][p.m.]. A joint case managen	nent conference statement shall be filed l	ру
<u>September 6</u> , 2013.		
IT IS SO ORDERED. Dated: 8/21/13	Judge Joseph C. Spero JOSEPH C. SPE	
	UNITED STATES MAGIST	RATE JUDGE