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[Additional Counsel on Signature Page]

18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 MICHELLE LOU, MARSHA BEER,  
 21 SIMON NIM AND JESUAN RUIZ  
 22 RODRIGUEZ, Individually and On Behalf of  
 23 All Others Similarly Situated,

Plaintiffs,

v.

24 MA LABORATORIES, INC., ABRAHAM  
 25 MA, also known as CHIH KENG MA, and  
 26 CHRISTINE RAO, also known as RUITING  
 27 C. RAO, and CHRISTY YEE,  
 28 Defendants.

No. 3:12-cv-05409-WHA (NC)

**STIPULATION WITHDRAWING  
 DISCOVERY LETTER REGARDING EMAILS  
 AND EPOPS**

**Concurrently filed herewith:  
 (1) ~~Proposed~~ Order**

**Judge: Hon. Nathanael Cousins**

Plaintiffs Michelle Lou, Marsha Beer, Simon Nim, and Jesuan Ruiz Rodriguez and Defendants Ma Laboratories, Inc., Abraham Ma, Christine Rao and Christy Yee, (collectively, the “Parties”), by and through their respective counsel, stipulate and agree as follows:

WHEREAS, on January 6, 2014, the Parties filed a joint letter regarding their discovery dispute concerning Plaintiffs’ requests for email and epop data (Dkt. 418);

WHEREAS, the Court set the matter for a hearing on January 15, 2014, and subsequently

1 continued the hearing to January 29, 2014;

2 WHEREAS, Judge Alsup issued an order denying class certification, leaving only claims  
3 on behalf of four named Plaintiffs;

4 WHEREAS, the Parties desire to reach a compromise on the discovery dispute  
5 concerning the data for the four named Plaintiffs;

6 NOW THEREFORE, the Parties, by and through their respective counsel hereby  
7 STIPULATE AND AGREE as follows:

8 1. The joint letter regarding emails and epos is hereby withdrawn without prejudice  
9 to refileing.

10 2. The Parties will work together to resolve the discovery dispute as to the four  
11 named Plaintiffs. If the Parties cannot resolve the matter by February 3, 2014, the parties will file  
12 a new joint letter brief.

13

14 Respectfully submitted,

15

16 Dated: January 28, 2014

**SANFORD HEISLER, LLP**

17 By: /s/ David Sanford  
David Sanford  
(Admitted *pro hac vice*)

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*Attorneys for Plaintiffs*

Dated: January 28, 2014

**BERLINER COHEN**

By: /s/ Susan Bishop

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Christy Yee*

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28 MA, also known as CHIH KENG MA, and  
CHRISTINE RAO, also known as RUITING  
C. RAO, and CHRISTY YEE,  
Defendants.

No. 3:12-cv-05409-WHA

**~~PROPOSED~~ ORDER GRANTING  
STIPULATION WITHDRAWING  
DISCOVERY LETTER REGARDING  
EMAILS AND EPOPS**

Complaint Filed: October 19, 2012  
Trial Date: April 21, 2014

1 Pursuant to the Joint Stipulation submitted by Plaintiffs Michelle Lou, Marsha Beer,  
2 Simon Nim, and Jesuan Ruiz Rodriguez, and Defendants Ma Laboratories, Inc., Abraham Ma,  
3 Christine Rao, and Christy Yee, wherein the Parties stipulate and agree that the joint letter  
4 regarding emails and epops shall be withdrawn without prejudice to refileing and that the Parties  
5 will work together to resolve the discovery dispute as to the four named plaintiffs:

6 The stipulation is approved and the discovery hearing scheduled for January 29, 2014 at  
7 1:00 pm is vacated.

8  
9 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

10  
11 DATED: January 28, 2014

