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& THE CONDITONALLY CERTIFIED  
FLSA COLLECTIVE ACTION CLASS

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

22 CHRISTOPHER OTEY, on behalf of  
23 himself and all others similarly situated,

24 Plaintiff,

25 v.

26 CROWDFLOWER, INC., LUKAS  
BIEWALD and CHRIS VAN PELT,

27 Defendant.

Case No. 3:12-cv-05524-JST/mej

**STIPULATION RE: CONTINUANCE OF  
LITIGATION ACTIVITIES, INCLUDING  
NOTICE OF CONDITIONAL  
CERTIFICATION OF COLLECTIVE  
ACTION, PENDING ANTICIPATED  
SETTLEMENT AND MOTION FOR  
COURT APPROVAL OF SAME**

**[PROPOSED] ORDER**

28 LITTLER MENDELSON, P.C.  
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STIPULATION RE CONTINUANCE OF  
LITIGATION ACTIVITIES

Case No. 3:12-cv-05524-JST

1 Plaintiffs CHRISTOPHER OTEY and MARY GRETH ("Plaintiffs") and Defendants  
2 CROWDFLOWER, INC., LUKAS BIEWALD and CHRIS VAN PELT ("Defendants"), by and  
3 through their respective counsel, hereby enter into the following Stipulation Regarding Continuance  
4 of Litigation Activities Pending Anticipated Settlement and Motion for Court Approval of Same.  
5 Specifically, by and through this Stipulation, the parties request that the Court grant the parties leave  
6 to continue all litigation activities, including responses to pending discovery requests and  
7 service/posting of notice of conditional certification of collective action, for an additional thirty days  
8 (from October 31, 2013) to allow the parties to continue to work toward a final settlement of the  
9 instant action in the wake of the parties' mediation which occurred October 18-19, 2013.

10 **STIPULATION**

11 1. The original Complaint in this action was filed on October 26, 2012 against  
12 Defendants CrowdFlower, Inc., Lukas Biewald and Chris Van Pelt.

13 2. No case management conference has yet occurred and the Court has not yet issued  
14 any scheduling order.

15 3. The initial case management conference is scheduled for 2:00 p.m. on December 11,  
16 2013.

17 4. The parties participated in mediation on October 18-19, 2013. In anticipation of  
18 mediation, the parties sought and the Court granted a stay, pending mediation, up to and including  
19 October 31, 2013. (Doc. No. 177).

20 5. Based on the mediation and subsequent settlement discussions, counsel for the parties  
21 believe that finalizing a settlement of this action is likely. However, given the complex nature of  
22 this putative collective and class action, additional time is needed by the parties to try to finalize all  
23 of the terms of a settlement agreement. The parties desire to focus their efforts on reaching a final  
24 settlement rather than devoting time, effort and expense to engaging in litigation activities.

25 6. The parties therefore seek a continuance of all litigation activities, including all  
26 activities associated with discovery and providing notice of conditional certification of a collective  
27 action (e.g., posting and servicing notice), for an additional thirty days, up through and including  
28 November 30, 2013. The parties further seek an automatic extension of the continuance, in the event

1 that the parties finalize a proposed settlement and file a motion for Court approval of same prior to  
2 November 30, 2013, until such time as the Court rules on that motion.

3 7. The continuance sought will help facilitate settlement.

4 8. If settlement is not achieved, the continuance sought will not materially delay or alter  
5 the progress of this litigation.

6 WHEREFORE, the parties mutually request that the Court enter the proposed Order below,  
7 thereby continuing the deadlines for all litigation activities, including responding to pending  
8 discovery requests and serving/posting notice of conditional certification of collective action, up to  
9 and including November 30, 2013 or, if a motion for Court approval of settlement is filed prior to  
10 that time, until such time as the Court rules on said motion.

11  
12 Dated: October 22, 2013

Respectfully submitted,

LITTLER MENDELSON, P.C.

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15 By: /s/ R. Bradley Adams

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16  
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18  
19  
20 Dated: October 22, 2013

WEINHAUS & POTASHNICK

21  
22 By: /s/ Mark Potashnick

MARK POTASHNICK  
Attorneys for Plaintiffs  
CHRISTOPHER OTEY, MARY GRETH  
and the conditionally certified FLSA  
collection action class

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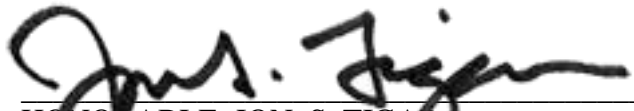
**PROPOSED ORDER**

Good cause appearing therefore, the foregoing Stipulation Re: Continuance of Litigation Activates Pending Anticipated Settlement and Motion for Court Approval of Same ("Stipulation") is hereby approved and it is hereby ORDERED that:

All litigation activities, including responses to pending discovery requests and service/posting of notice of conditional certification of collective action, are continued up to and including November 30, 2013. It is further order that in the event that the parties reach a final settlement and file a motion for Court approval of same on or before November 30, 2013, this continuance shall be automatically extended until such time as the Court rules on the motion.

PURSUANT TO STIPUATION, IT IS SO ORDERED.

Dated: October 22, 2013



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HONORABLE JON. S. TIGAR  
UNITED STATES DISTRICT COURT JUDGE