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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

15 ROBERT MILLER, on behalf of himself and all  
 others similarly situated,

16 Plaintiff,

17 v.

18 SOUTHWEST AIRLINES CO., a Texas  
 19 corporation; and DOES 1 through 10,

20 Defendants.

**Case No. C-12-05978-CRB**  
**Case No. C-13-01429-CRB**

**CLASS ACTIONS -**  
**Consolidated for Discovery Purposes Only**

**STIPULATION AND ORDER TO**  
**CONTINUE THE CASE MANAGEMENT**  
**CONFERENCE OF MAY 10, 2013**

Date: May 10, 2013  
 Time: 8:30 a.m.  
 Courtroom: 6, 17th Floor  
 Before: The Hon. Charles R. Breyer

22 JAMIE LUMOS on behalf of herself and all  
 23 others similarly situated,

24 Plaintiff,

25 v.

26 SOUTHWEST AIRLINES CO., a Texas  
 27 corporation; and DOES 1 through 20, inclusive,

28 Defendants.

1 **STIPULATION**

2 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Robert Miller and Jamie Lumos  
3 (“Plaintiffs”) and Defendant Southwest Airlines Co. (“Defendant”) (collectively the “Parties”) in  
4 the above-captioned cases, by and through their respective counsel of record, hereby jointly  
5 stipulate as follows:

6 WHEREAS, during the Case Management Conference held on April 29, 2013, the Court  
7 set the next Case Management Conference for May 10, 2013;

8 WHEREAS, during the April 29, 2013 Case Management Conference, the Court suggested  
9 that counsel explore an early resolution of the above-captioned cases;

10 WHEREAS, following the April 29, 2013 Case Management Conference, the Parties met  
11 and conferred and agreed to pursue an early resolution of this dispute in the two captioned cases  
12 through private mediation;

13 WHEREAS, the Parties are jointly recommending the Court continue the May 10, 2013  
14 Case Management Conference for at least 90 days so that the Parties may concentrate their efforts  
15 exclusively on settlement;

16 WHEREAS, the Parties are jointly requesting the Court stay all proceedings and discovery  
17 between the Parties until the next Case Management Conference, pending the outcome of the  
18 mediation;

19 WHEREAS, the Parties have agreed to report back to the Court promptly upon conclusion  
20 of the mediation to notify the Court of the status of their settlement negotiations.

21 **IT IS HEREBY STIPULATED AND AGREED** between the Parties as follows:

22 1. The Parties have agreed to mediation of the above-captioned cases within the next  
23 90 days, the Case Management Conference, presently set for May 10, 2013, shall be rescheduled  
24 by the Court to a date at least 90 days from that date;

25 2. All proceedings and discovery between the Parties shall be stayed until the new  
26 Case Management Conference date;

27 3. Upon the selection and scheduling of the mediation, the Parties shall provide that  
28 information to the Court; and



**ATTESTATION**

I, Colin H. Murray, attest that I am one of the attorneys for Defendant Southwest Airlines Co., and as the ECF user and filer of this document, I attest that concurrence in the filing of this document has been obtained from its signatories.

I further attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/s/) within this e-filed document.

Dated: May 6, 2013

/s/ Colin H. Murray  
Colin H. Murray

**ORDER**

PURSUANT TO THE STIPULATION, the following is ORDERED:

1. The Case Management Conference, presently set for May 10, 2013, shall be rescheduled by the Court to August 16, 2013 at 8:30 a.m.;
2. The Parties shall inform the Court of the mediator selected and the mediation date by May 20, 2013;
2. All proceedings and discovery between the Parties shall be stayed until the day after the next Case Management Conference; and
3. Within five court days of the completion of the mediation, the Parties shall report back to the Court with the status of their settlement negotiations.

**PURSUANT TO THE STIPULATION, IT IS SO ORDERED**

Date: May 8, 2013

The Honorable Charles R. Breyer  
United States District Court

