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11 Attorneys for Defendant CSK AUTO, INC.
 12 n/k/a O'Reilly Auto Enterprises, LLC

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**

16 OSMIN MELGAR, individually and on
 17 behalf of all others similarly situated,

18 Plaintiff,

19 v.

20 CSK AUTO, INC., an Arizona
 Corporation, and DOES 1-100,

21 Defendants.

Case No. C 13-03769 (EMC)

**STIPULATION RE PLAINTIFF'S REPLY
 BRIEF REGARDING CLASS
 CERTIFICATION; [~~PROPOSED~~] ORDER**

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 23
 24 Plaintiff OSMIN MELGAR ("Plaintiff"), individually and on behalf of all others similarly
 25 situated and Defendant CSK AUTO, INC. n/k/a O'Reilly Auto Enterprises, LLC ("Defendant")
 26 (collectively, the "Parties"), by and through their respective attorneys of record, hereby stipulate
 27 and agree as follows:
 28

1. Plaintiff filed his Motion for Class Certification August 6, 2015.
2. Defendant filed its Opposition to Plaintiff's Motion on September 21, 2015. Defendant supported its Opposition with, among other things, 116 class member declarations and an expert declaration.
3. The parties are working together cooperatively to allow Plaintiff to depose some of Defendant's declarants. Plaintiff took four depositions on October 13, 2015, and is scheduled to take three depositions on October 20, 2015.
4. The scheduled filing date for Plaintiff's Reply Brief is currently October 19, 2015. In order to allow time to obtain the deposition transcripts from the declarant depositions and to make use of them for his Reply Brief, the Parties agree that Plaintiff may have until November 6, 2015 to file his Reply Brief.
5. The hearing on Plaintiff's Motion for Class Certification is scheduled for December 10, 2015, and the Parties request that the hearing date remain unchanged.

IT IS SO STIPULATED.

DATED: October 15, 2015

MICHAEL MALK, ESQ., APC

By: */Michael Malk*

MICHAEL MALK.

Attorneys for Plaintiff OSMIN MELGAR

DATED: October 15, 2015

HIGGS FLETCHER & MACK, LLP

By: */Edwin Boniske*

JAMES M. PETERSON, ESQ.

EDWIN BONISKE, ESQ.

Attorneys for Defendant CSK AUTO, INC. n/k/a

O'REILLY AUTO ENTERPRISES, LLC

PURSUANT TO THE PARTIES' STIPULATION, IT IS

DATED: 10/16/15

Hon. Edward M. Chen
United States District Court

