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

DOUGLAS O’CONNOR, THOMAS
 COLOPY, MATTHEW MANAHAN, and
 ELIE GURFINKEL, individually and on
 behalf of all others similarly situated,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC.,

Defendant.

CASE NO. 13-03826-EMC

**STIPULATION AND ~~PROPOSED~~ ORDER
 REGARDING HEARING SCHEDULE FOR
 CASE MANAGEMENT CONFERENCE,
 MOTION TO COMPEL ARBITRATION,
 AND PLAINTIFFS’ MOTION FOR LEAVE
 TO FILE FOURTH AMENDED
 COMPLAINT**

1 **STIPULATION**

2 Plaintiffs Douglas O’Connor, Thomas Colopy, Matthew Manahan, and Elie Gurfinkel
3 (“Plaintiffs”) and Defendant Uber Technologies, Inc. (“Uber”) (collectively, the “Parties”), by and
4 through their respective counsel of record, hereby stipulate as follows:

5 WHEREAS, the Court has scheduled a case management conference in this case for
6 October 21, 2015 at 9:30 a.m.;

7 WHEREAS, on September 10, 2015, Uber filed a motion to compel arbitration as to certain
8 absent class members in this case, *see* Dkt. No. 346;

9 WHEREAS, the hearing for Uber’s motion to compel arbitration as to certain absent class
10 members is currently scheduled for October 21, 2015 at 9:30 a.m.;

11 WHEREAS, on October 1, 2015, Plaintiffs filed a motion for leave to file a fourth amended
12 complaint in this case, *see* Dkt. 355;

13 WHEREAS, the hearing for Plaintiffs’ motion for leave to file a fourth amended complaint is
14 currently scheduled for November 19, 2015 at 1:30 p.m.;

15 WHEREAS, counsel for Plaintiffs represents the named plaintiffs in *Yucesoy v. Uber*
16 *Technologies, Inc.*, No. 15-cv-00262-EMC (“*Yucesoy*”) and counsel for Uber represents the
17 defendants in *Yucesoy*;

18 WHEREAS, on August 5, 2015, the *Yucesoy* defendants filed a motion to compel arbitration
19 as to certain of the named plaintiffs in *Yucesoy*, *see Yucesoy* Dkt. No. 94;

20 WHEREAS, the hearing for the *Yucesoy* defendants’ motion to compel arbitration is currently
21 scheduled for October 21, 2015 at 9:30 a.m.;

22 WHEREAS, on August 28, 2015, the *Yucesoy* defendants filed a motion to dismiss the
23 *Yucesoy* plaintiffs’ second amended complaint, *see Yucesoy* Dkt. No. 109;

24 WHEREAS, the hearing for the *Yucesoy* defendants’ motion to dismiss the *Yucesoy* plaintiffs’
25 second amended complaint is currently scheduled for October 21, 2015 at 9:30 a.m.;

26 WHEREAS, the Court has scheduled a case management conference in *Yucesoy* for
27 November 19, 2015 at 10:30 a.m.;

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1 WHEREAS, certain unavoidable scheduling conflicts have arisen for certain of the parties'
2 counsel on October 21, 2015 and November 19, 2015;

3 WHEREAS, certain of the parties' counsel will be traveling to San Francisco from Los
4 Angeles and Boston for the aforementioned hearings;

5 WHEREAS, the Court is unavailable on the following Civil Law and Motion hearing dates:
6 October 22, 2015; November 5, 2015; November 12, 2015; and November 26, 2015;

7 WHEREAS, the *Yucesoy* parties intend to file a stipulation and proposed order requesting that
8 the *Yucesoy* parties' case management conference, the *Yucesoy* defendants' motion to compel
9 arbitration as to certain named plaintiffs, and the *Yucesoy* defendants' motion to dismiss the second
10 amended complaint be scheduled for November 4, 2015 at 1:30 p.m.;

11 WHEREAS, to accommodate the aforementioned scheduling conflicts and conserve the
12 resources of the Court and the parties, the parties have conferred and agreed that: (1) the case
13 management conference; (2) the hearing for Uber's motion to compel arbitration as to certain
14 unnamed class members; and (3) the hearing for Plaintiffs' motion for leave to file a fourth amended
15 complaint should be rescheduled for November 4, 2015 at 1:30 p.m., to coincide with the proposed
16 hearing date regarding the case management conference in *Yucesoy*, the defendants' motion to
17 dismiss in *Yucesoy*, and the defendants' motion to compel arbitration as to certain of the named
18 plaintiffs in *Yucesoy*;

19 NOW THEREFORE, the parties hereby stipulate, subject to the approval of this Court, that
20 the hearing date for (1) the case management conference, (2) Uber's motion to compel arbitration as
21 to certain absent class members, and (3) Plaintiffs' motion for leave to file a fourth amended
22 complaint shall be scheduled for November 4, 2015 at ^{10:00 am}~~1:30 p.m.~~; and (4) the parties' case
23 management statement shall be due October 28, 2015.

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