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18 **Attorneys for Plaintiff Todd Johnston**

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

22 TODD JOHNSTON, individually and on) Case No. 3:16-cv-3134-EMC
 23 behalf of a class of similarly situated persons,) [Related to Case No. 3:13-cv-3826-EMC]
 24)
 25 Plaintiff,) **STIPULATION AND [PROPOSED]**
 26) **ORDER REGARDING BRIEFING**
 27 vs.) **SCHEDULE**
 28)
 29 UBER TECHNOLOGIES, INC., a Delaware)
 30 Corporation,) Judge: Hon. Edward M. Chen
 31) Courtroom: 5
 32 Defendant.)
 33)
 34)

35 Related to:)
 36 *O'Connor et al. v. Uber Tech., Inc.*, No. 3:13-)
 37 cv-3826-EMC)
 38)
 39)

STIPULATION

1
2 On March 22, 2017, the Court entered the following order in this case: “The Court lifted the stay in
3 the Johnston case for the limited purpose of entertaining Uber’s motion to compel arbitration since
4 Plaintiffs’ argument under the WARN Act may be distinct. Counsel in the Johnston case shall meet and
5 confer and to submit a proposed stipulated briefing schedule for defendant's motion to compel arbitration.”
6 (Dkt. 803 at p. 2.)

7
8 Pursuant to that order, the parties have met and conferred and have agreed upon the following
9 schedule:

- 10 April 13, 2017- Defendant’s motion to compel arbitration shall be filed;
11 May 15, 2017- Plaintiff’s opposition shall be filed;
12 June 1, 2017- Defendant’s reply brief shall be filed; and
13 June 15, 2017 at 1:30 p.m.- hearing on Defendant’s motion to compel arbitration
14

15
16
17 Dated: March 29, 2017

18 /s/ Sophia Behnia
19 CARLOS JIMENEZ
20 EMILY E. O’CONNOR
21 SOPHIA BEHNIA
22 LITTLER MENDELSON, P.C.
23 Attorneys for Defendant
24 UBER TECHNOLOGIES, INC.

25
26
27 Dated: March 29, 2017

28 /s/ Brian J. Malloy
THOMAS J. BRANDI
BRIAN J. MALLOY
THE BRANDI LAW FIRM
Attorneys for Plaintiff
TODD JOHNSTON

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 The following schedule is set:

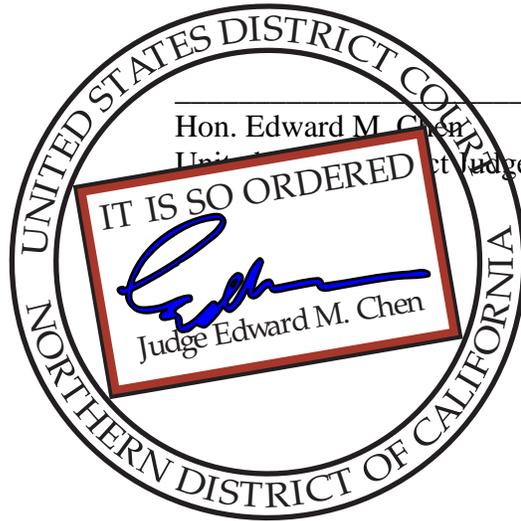
3
4 April 13, 2017- Defendant's motion to compel arbitration shall be filed;

5 May 15, 2017- Plaintiff's opposition shall be filed;

6 June 1, 2017- Defendant's reply brief shall be filed; and

7 June 15, 2017 at 1:30 p.m.- hearing on Defendant's motion to compel arbitration

8
9 Dated: 4/3/2017



1 **FILER'S ATTESTATION**

2 Pursuant to Civil Local Rule 5-1(i), I, Brian J. Malloy, attest that concurrence in the filing of this
3 document has been obtained.

4
5 /s/ Brian J. Malloy
6 BRIAN J. MALLOY