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*Attorneys for Defendant B&H Education, Inc.*

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

JACQUELINE BENJAMIN, BRYAN  
 GONZALEZ, and TAIWO KOYEJO, on behalf  
 of themselves and classes of those similarly  
 situated,

Plaintiffs,

vs.

B&H EDUCATION, INC., a corporation, dba  
 "MARINELLO SCHOOLS OF BEAUTY";  
 and DOES 1 through 100,

Defendants. /

DAVID A. LOWE (SBN: 178811)  
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Case No. CV 13-04993-VC

**STIPULATION AND ~~PROPOSED~~  
 ORDER REGARDING SUMMARY  
 JUDGMENT BRIEFING AND  
 DEADLINES**

1 Plaintiffs JACQUELINE BENJAMIN, BRYAN GONZALES, and TAIWO KOYEJO and  
2 Defendant B&H EDUCATION, INC., by and through their undersigned counsel in the above-  
3 captioned matter, hereby stipulate as follows:

4 WHEREAS, the parties have filed cross-motions for summary judgment and have set a  
5 briefing schedule pursuant to the Court’s Standing Order (Dkt. No. 73), with a hearing date set for  
6 September 24, 2015.

7 WHEREAS, as established by the stipulated schedule, Plaintiffs filed their opening brief on  
8 June 16, 2015 (Dkt. Nos. 74-77) and Defendant filed its opposition and cross-motion for summary  
9 judgment on July 14, 2015 (Dkt. Nos. 78-1 – 78-18).

10 WHEREAS, on August 11, 2015, Plaintiffs filed their opposition and reply memorandum  
11 (Dkt. Nos. 79-80).

12 WHEREAS, Plaintiffs’ opposition and reply memorandum inadvertently exceeded the 20-  
13 page limit set by this Court’s Standing Order, due to Plaintiffs’ mistaken belief that the standard 25-  
14 page limit for opposition memoranda applied. Accordingly, the memorandum Plaintiffs filed on  
15 August 11th exceeds the Court’s page limit by 5 pages.

16 WHEREAS, on August 12, 2015, the parties met and conferred regarding this issue.

17 IT IS HEREBY STIPULATED, by and between Plaintiffs and Defendant, through their  
18 respective counsel of record, that in the interest of fairness, judicial economy, and resolving issues  
19 on the merits, Plaintiffs shall file a revised brief conforming to the 20-page requirement within two  
20 court days of entry of this order. Within 14 calendar days of Plaintiffs’ filing of a revised brief,  
21 Defendant shall file its Reply. The order regarding the schedule for filing briefs related to the cross-  
22 motions for summary judgment (Dkt. No. 73) shall be modified to the extent necessary to conform to  
23 this schedule. The proposed extension will not affect any other deadline in this case.

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**IT IS SO STIPULATED.**

DATED: August 13, 2015

**BRYAN SCHWARTZ LAW  
RUDY, EXELROD, ZIEFF & LOWE, L.L.P.  
LAW OFFICE OF LEON GREENBERG**

By:           /s/ Chaya M. Mandelbaum            
CHAYA M. MANDELBAUM  
*Attorneys for the Named Plaintiffs and all others  
similarly situated*

DATED: August 13, 2015

**DUANE MORRIS LLP**

By:           /s/ Julie A. Vogelzang            
JULIE A. VOGELZANG  
*Attorneys for Defendant B&H EDUCATION, INC*

**ECF ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from each of the other signatories thereto.

Executed this 13th day of August, 2015, at San Francisco, California.

          /s/ Chaya M. Mandelbaum            
CHAYA M. MANDELBAUM

**PROPOSED ORDER**

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The Court having considered the Stipulation Regarding Summary Judgment Briefing and Deadlines, ORDERS as follows:

Plaintiffs shall file a revised Opposition/Reply memorandum conforming to this Court's Standing Order by August 17, 2015.

Defendant shall file its Reply memorandum by August 31, 2015.

The hearing on the Cross-Motions for Summary Judgment, set for September 24, 2015, shall remain on calendar.

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

DATED: August 14, 2015



\_\_\_\_\_  
Judge Vince Chhabria  
United States District Court