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6 Attorneys for Defendant  
 C-TWO GROUP, INC.  
 7

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION  
 10

11 JAMIE MENDEZ,  
 12 Plaintiff,  
 13 v.  
 14 C-TWO GROUP, INC.; MOBILESTORM,  
 INC.; and DOES 1-40,  
 15 Defendants.  
 16

Case No. 3:13-cv-05914 HSG (KAW)

**STIPULATION TO EXTEND CLASS  
 CERTIFICATION DEADLINES FOR  
 THE OPPOSITION AND REPLY AND  
 DECLARATION OF LAURIE E.  
 SHERWOOD (LOCAL RULE 6-2);  
 ORDER;**

WALSWORTH  
 601 MONTGOMERY STREET, NINTH FLOOR  
 SAN FRANCISCO, CALIFORNIA 94111-2612  
 TEL (415) 781-7072 • FAX (415) 391-6258

18 1. On September 12, 2014, the parties agreed to a 90 day continuance of the filing  
 19 deadlines and hearing date on plaintiff's motion for class certification to allow for the parties to  
 20 participate in a settlement conference with Magistrate Judge Kandis Westmore and to conduct  
 21 discovery following the settlement conference. On September 15, 2015, Judge Edward Chen executed  
 22 the order, and indicated that no further continuance would be granted. The order set the following  
 23 schedule:

- 24 ☉ March 13, 2015: deadline for filing Plaintiff's Motion for Class Certification
- 25 ☉ April 10, 2015: deadline for filing Defendants' Opposition to Plaintiff's Motion for
- 26 Class Certification
- 27 ☉ May 1, 2015: deadline for filing Reply to Defendants' Opposition to Plaintiff's Motion
- 28 for Class Certification

1           2.       On December 1, 2015, the parties participated in a settlement conference with  
2 Magistrate Judge Westmore. The matter did not settle but counsel for all parties have continued to  
3 communicate with Magistrate Judge Westmore, and continue to explore possible resolution of the  
4 case.

5           3.       On March 13, 2015, plaintiff filed her motion for class certification. On March 31,  
6 2015, defendants deposed plaintiff Jamie Mendez. The deposition raised facts requiring additional  
7 investigation by defendant C-Two Group, Inc. Additionally, one of C-Two Group, Inc.'s witnesses is  
8 out of the country and will not return until next week.

9           4.       In light of the above and to continue settlement discussions, the parties have agreed,  
10 subject to court approval, to a two week extension to file the opposition and reply. The parties do not  
11 seek to continue the hearing date of May 28, 2015, on Plaintiff's Motion for Class Certification.

12           IT IS THEREFORE STIPULATED by and between Plaintiff and Defendants, through their  
13 respective counsel, and subject to Court approval, as follows:

14           1.       The deadline to file Defendants' Opposition to Plaintiffs' Motion for Class Certification  
15 is extended from April 10, 2015, to April 24, 2015;

16           2.       The deadline to file Plaintiffs' Reply to Defendants' Opposition to Plaintiff's Motion for  
17 Class Certification is extended from May 1, 2015, to May 15, 2015; and

18           3.       The hearing date on Plaintiff's Motion for Class Certification will not be continued and  
19 will remain on May 28, 2015.

20           IT IS SO STIPULATED:

21

22 Dated: April 8, 2015

KEARNEY LITTLEFIELD LLP

23

24

By:                    /s/ Prescott W. Littlefield  
THOMAS A. KEARNEY  
PRESCOTT W. LITTLEFIELD  
Attorneys for JAMIE MENDEZ AND THE  
PURPORTED CLASS

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Dated: April 8, 2015

STONEBARGER LAW, APC

By:                   /s/ Richard D. Lambert  
GENE J. STONEBARGER  
RICHARD D. LAMBERT  
Attorneys for JAMIE MENDEZ AND THE  
PURPORTED CLASS

Dated: April 8, 2015

AKAWIE & LAPIETRA

By:                   /s/ Gregory S. Nerland  
GREGORY S. NERLAND  
Attorneys for Defendant  
C&L ASSOCIATES, INC.

Dated: April 8, 2015

WFBM, LLP

By:                   /s/ Laurie E. Sherwood  
LAURIE E. SHERWOOD  
ALEX F. PEVZNER  
Attorneys for Defendant  
C-TWO GROUP, INC.

**DECLARATION OF LAURIE E. SHERWOOD**

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2 1. I am an attorney at law, duly licensed to practice in the State of California and a partner  
3 with the firm of Walsworth, Franklin, Bevins & McCall, LLP, counsel of record for defendant C-Two  
4 Group, Inc. I have personal knowledge of the facts set forth in this Declaration and, if called as a  
5 witness, could and would testify competently to such facts under oath.

6 2. On September 12, 2014, the parties agreed to a 90 day continuance of the filing  
7 deadlines and hearing date on plaintiff's motion for class certification to allow for the parties to  
8 participate in a settlement conference with Magistrate Judge Kandis Westmore and to conduct  
9 discovery following the settlement conference. On September 15, 2015, Judge Edward Chen executed  
10 the order, and indicated that no further continuance would be granted. The order set the following  
11 schedule:

- 12 ☉ March 13, 2015: deadline for filing Plaintiff's Motion for Class Certification
- 13 ☉ April 10, 2015: deadline for filing Defendants' Opposition to Plaintiff's Motion for  
14 Class Certification
- 15 ☉ May 1, 2015: deadline for filing Reply to Defendants' Opposition to Plaintiff's Motion  
16 for Class Certification

17 3. On December 1, 2015, the parties participated in a settlement conference with  
18 Magistrate Judge Westmore. The matter did not settle but counsel for all parties have continued to  
19 communicate with Magistrate Judge Westmore, and continue to explore possible resolution of the  
20 case.

21 4. On March 13, 2015, plaintiff filed her motion for class certification. On March 31,  
22 2015, defendants deposed plaintiff Jamie Mendez. The deposition raised facts requiring additional  
23 investigation by defendant C-Two Group, Inc. Additionally, one of C-Two Group, Inc.'s witnesses is  
24 out of the country and will not return until next week.

25 5. In light of the above and to continue settlement discussions, the parties have agreed,  
26 subject to court approval, to a two week extension to file the opposition and reply. The parties do not  
27 seek to continue the hearing date of May 28, 2015, on Plaintiff's Motion for Class Certification. The  
28 requested extension will not affect the case schedule.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 8th day of April, 2015, at San Francisco, California.

/s/Laurie E. Sherwood  
LAURIE E. SHERWOOD

ATTORNEY ATTESTATION

I hereby attest that all counsel have consented to the use of any signatures indicated by a conformed signature (/s/) within this e-filed document.

/s/Laurie E. Sherwood  
LAURIE E. SHERWOOD


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**ORDER**

IT IS ORDERED as follows:

1. The deadline to file Defendants' Opposition to Plaintiffs' Motion for Class Certification is extended from April 10, 2015, to April 24, 2015;
2. The deadline to file Plaintiffs' Reply to Defendants' Opposition to Plaintiff's Motion for Class Certification is extended from May 1, 2015, to May 15, 2015; and
3. The hearing date on Plaintiff's Motion for Class Certification will not be continued and will remain on May 28, 2015.

DATED: April 13, 2015

  
\_\_\_\_\_  
THE HONORABLE HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT JUDGE