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12 Attorneys for Plaintiffs

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

15 WILLIAM WOODS (CA), DOMINIC SEALE
 (FL), WESLEY VARUGHESE (IL), ERIC
 16 ESSLER (MI), KRISTINA WILLS (MN),
 CASEY MCCALED (MO), SAMUEL
 17 BARONE-CROWELL (NY), LOWELL
 HARVARD JR. (NY), ALTWELL WINFIELD
 18 (NY), TIFFANY REINHART (OH), individually
 19 and on behalf of all other similarly situated
 20 individuals,

21 Plaintiffs,

22 v.

23 VECTOR MARKETING CORPORATION and
 DOES 1 through 20, inclusive,

24 Defendants.

CASE NO. 14-CV-00264-EMC
(Hon. Edward M. Chen)

STIPULATION AND PROPOSED
ORDER RE BRIEFING AND HEARING
SCHEDULE ON PLAINTIFFS'
MOTION FOR LEAVE TO FILE
PLAINTIFFS' FIRST AMENDED
COMPLAINT

(Modified)

CLASS ACTION

1 This stipulation is entered into by and between Plaintiffs William Woods, Dominic Seale,
2 Wesley Varughese, Eric Essler, and Samuel Barone-Crowell (“Plaintiffs”) and Defendant Vector
3 Marketing Corporation (“Defendant,” or collectively with Plaintiffs, the “Parties”) by and through
4 their counsel of record, with reference to the following facts:

5 A. On or about January 16, 2014, Plaintiffs filed their Class and Collective Action Complaint
6 (“Complaint”) in the above-captioned action;

7 B. On or about May 22, 2015, this Court issued its Order Granting In Part and Denying in Part
8 Defendant’s Motion for Partial Summary Judgment. (Doc. 164). In its Order this Court held that
9 proposed representative plaintiff for the Missouri Class, Casey McCaleb’s claim for unpaid wages
10 under the Missouri Minimum Wage Act was time barred. This court further stated that Plaintiffs may
11 bring a Rule 15 motion to amend to add a new plaintiff and that Plaintiffs may seek leave to bring
12 their Rule 15 motion on an expedited basis. (Order at p. 12).

13 C. The Parties have agreed to the following briefing and hearing schedule:

- 14 • May 29, 2015 – Plaintiffs submit Motion to Amend Complaint to Add a Party
15 Pursuant to FRCP 15(a)
- 16 • June 5, 2015 – Defendant submits Opposition to Plaintiff’s Motion to Amend
17 Complaint to Add a Party Pursuant to FRCP 15(a)
- 18 • June 8, 2015 – Plaintiffs submit Reply
- 19 • June 11, 2015 – Proposed Hearing Date; or parties will agree to submit on the papers
20 at the Court’s discretion.

21 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through
22 their respective counsel of record and subject to this Courts approval, that Plaintiffs will submit their
23 Motion to Amend on May 29, 2015; Defendant will submit its Opposition to Plaintiffs’ Motion on
24 June 5, 2015; Plaintiffs will submit their Reply on June 8, 2015 and the hearing on Plaintiffs’ Motion
25 will be held on June 11, 2015, or submit based on the papers at the Court’s discretion.

26 This Stipulation is without prejudice to any of Defendant’s defenses or other rights in this
27 action, including (without limitation) the right to oppose the motion to amend.

1 **SO STIPULATED.**

2 DATED: May 29, 2015

MARLIN & SALTZMAN, LLP
DIVERSITY LAW GROUP APC

3
4 By: /s/ Christina A. Humphrey
Stanley D. Saltzman, Esq.
Christina A. Humphrey, Esq.
Leslie H. Joyner, Esq.
Attorneys for Plaintiffs

7 DATED: May 29, 2015

MORRISON & FOERSTER
PHILLIPS LYTTLE LLP

9 By: /s/ Karen J. Kubin
Karen J. Kubin
Attorneys for Defendant
Vector Marketing Corporation

12
13 **SIGNATURE ATTESTATION**

14 In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this
15 document has been obtained from the signatories on this e-filed document.

16 DATED: May 29, 2015

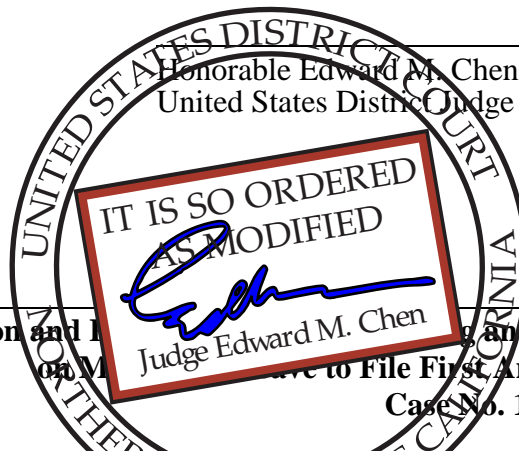
/s/ Christina A. Humphrey
Christina A. Humphrey

19
20 **[Proposed] ORDER**

21 Good cause appearing, the Parties' Stipulated Briefing and Hearing Schedule set forth above
22 is hereby approved and made an Order of the Court. Opposition due 6/3/15 5:00 p.m.
23 Reply due 6/4/15 5:00 p.m.
Hearing set for 6/11/15 at 1:30 p.m.

24 DATED: 6/1/15

Honorable Edward M. Chen
United States District Judge



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26
27
28 Stipulation and Hearing Schedule
to File First Amended Complaint
Case No. 14-CV-00264-EMC