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 9 DMSI STAFFING, LLC

10 [Additional Counsel of Record Information Appears on Next Page]

11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**  
 13 **SAN FRANCISCO DIVISION**

14 MARTINA HERNANDEZ, an ) CASE NO.: 3:14-CV-01531- EMC  
 15 individual, appearing individually and )  
 16 on behalf of all others similarly situated,) [Honorable Edward M. Chen]

17 Plaintiff,

18 vs.

19 DMSI STAFFING LLC, ROSS )  
 20 STORES, INC.; and DOES 1 through )  
 21 30, inclusive, )  
 22 Defendants. )

23 **PARTIES' JOINT REPORT RE:**  
 24 **FUTURE PROCEEDINGS**  
 25 **FOLLOWING COURT'S ORDER**  
 26 **ON DEFENDANTS' MOTION TO**  
 27 **COMPEL ARBITRATION**

28 Date: March 26, 2015  
 Time: 10:30 a.m.  
 Location: 450 Golden Gate Avenue  
 San Francisco, CA 94102  
 Courtroom: 5, 17<sup>th</sup> Floor  
 Complaint filed: 2/27/14  
 Trial: Not yet set

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31 **PARTIES' JOINT REPORT RE: FUTURE PROCEEDINGS FOLLOWING**  
 32 **COURT'S ORDER ON DEFENDANTS' MOTION TO COMPEL**  
 33 **ARBITRATION**

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14 Attorneys for Plaintiff Martina Hernandez  
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1 On February 3, 2015, the Court issued its order granting in part and denying  
2 in part Defendants' Motion to Compel Arbitration (Docket No. 39). At the  
3 conclusion of that order, the Court directed the parties to meet and confer regarding  
4 their views on how to proceed in light of the Court's holding.

5 The parties have now had an opportunity to meet and confer as the Court  
6 ordered. Based on those discussions, Defendants have advised Plaintiff that  
7 Defendants intend to file an appeal of the Court's order and in particular, the  
8 Court's denial of Defendants' request to Compel Arbitration of Plaintiff's claim  
9 under the Private Attorney General Act, California Labor Code § 2698, et seq.

10 Said appeal must be lodged on or before March 5, 2015. Defendant will  
11 lodge the appeal on or before said date and, well in advance of the next case  
12 management conference scheduled in this matter for March 26, 2015.

13 In light of such, the Parties request that once the appeal is lodged, the Court  
14 vacate the CMC currently scheduled for March 26, 2015.

15 Respectfully submitted.

16 WOLFLICK & SIMPSON

17 Dated: February 27, 2015.

18 By: 

19 GREGORY D. WOLFLICK

20 Attorneys for Defendants DMSI STAFFING,  
LLC and ROSS STORES, INC.

21 Dated: February 27, 2015.

22 LAW OFFICES OF NEAL J. FIALKOW

23 By:  s 

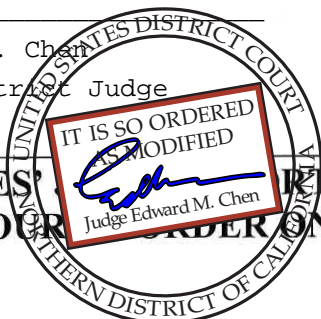
24 NEAL J. FIALKOW

25 JAMES S. CAHILL

26 Attorneys for Plaintiff MARTINA  
HERNANDEZ individually and on behalf  
of all others similarly situated

27 IT IS SO ORDERED that the CMC  
is reset from 3/26/15 to 12/17/15  
at 10:30 a.m. An updated joint  
CMC statement shall be filed  
by 12/10/15.

28 Edward M. Chen  
U.S. District Judge



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**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 130 North Brand Boulevard, Suite 410, Glendale, California 91203.

On **February 27, 2015**, I served the foregoing document described as:  
**PARTIES' JOINT REPORT RE: FUTURE PROCEEDINGS FOLLOWING COURT'S ORDER ON DEFENDANTS' MOTION TO COMPEL ARBITRATION** addressed as follows:

Neal J. Fialkow, Esq. LAW OFFICES OF NEAL J. FIALKOW, INC. 215 North Marengo Avenue, Third Floor Pasadena, CA 91101 Tel: 626-584-6060 Fax: 626-584-2950 <i>Attorneys for Plaintiff</i>	Sahag Majarian II, Esq. LAW OFFICES OF SAHAG MAJARIAN, II 18250 Ventura Boulevard Tarzana, CA 91356 Tel: 818-609-0807 Fax: 818-609-0892 <i>Attorneys for Plaintiff</i>
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**XXX (BY ELECTRONIC SERVICE VIA CM/ECF SYSTEM)** In accordance with the electronic filing procedures of this Court, service has been effected on the parties above, whose counsel of record is a registered participant in CM/ECF, via electronic service through the CM/ECF system.

**XXX (FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on February 27, 2015, at Glendale, California.

\_\_\_\_\_/s/ Katie Ferguson