

DUCKWORTH PETERS LEBOWITZ OLIVIER LLP  
100 Bush Street, Suite 1800  
San Francisco, CA 94104

1 THOMAS E. DUCKWORTH (SBN 152369)  
([tom@dplolaw.com](mailto:tom@dplolaw.com))

2 MONIQUE OLIVIER (SBN 190385)  
([monique@dplolaw.com](mailto:monique@dplolaw.com))

3 **DUCKWORTH PETERS LEBOWITZ OLIVIER LLP**

4 100 Bush Street, Suite 1800  
San Francisco, California 94104  
Telephone: (415) 433-0333  
Facsimile: (415) 449-6556

6 TODD SLOBIN (*Pro Hac Vice*)  
**SHELLIST | LAZARZ | SLOBIN LLP**

7 11 Greenway Plaza, Suite 1515  
Houston, Texas 77046  
Telephone: (713) 621-2277  
Facsimile: (713) 621-0993

9 Attorneys for Plaintiffs and the proposed Class

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

14 JOAN AMBROSIO, JANE LACAP, KEITH  
SWICK, BILL CHAN, COSMIN BANU,  
15 SHAHID RAHMATULLAH, DANA  
ROGERS, TONY TRINH, CHRISTIAN  
16 HALLORAN, NOVELETT WITT, ART  
BAIMKIN, ANGELITO MUYOT JR.,  
17 JASON RUIZ, KESHAV KAMATH, PEET  
SAPSIN, and ALICIA ERBY

18 Plaintiffs,

19 v.

21 COGENT COMMUNICATIONS, INC.,

22 Defendant.

**CLASS AND COLLECTIVE ACTION**

Case No 3:14-cv-02182-RS

**STIPULATION TO CONTINUE  
MOTION FOR CLASS  
CERTIFICATION AND  
COLLECTIVE ACTION BRIEFING  
AND HEARING SCHEDULE;  
~~PROPOSED~~ ORDER**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**STIPULATION**

Plaintiffs Joan Ambrosio et al. (“Plaintiffs”) and Defendant Cogent Communications, Inc. (“Defendant”)(collectively, the “Parties”), through their counsel, hereby stipulate and agree that:

WHEREAS on May 28, 2015 this Court issued an order setting forth a new class certification and hearing schedule (Dkt. 39) as follows:

July 24, 2015	Plaintiffs’ Motion for Class/Collective Certification
August 14, 2015	Defendant’s Opposition
September 4, 2015	Plaintiffs’ Reply
September 24, 2015, 1:30 pm	Hearing/Case Management Conference

WHEREAS the parties just discovered that the stipulation leading to that order contained an erroneous schedule that did not reflect the agreement of the parties;

NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate, subject to the approval of the Court, to the following (slightly modified) schedule:

July 24, 2015	Plaintiffs’ Motion for Class/Collective Certification
August 28, 2015	Defendant’s Opposition
September 25, 2015	Plaintiffs’ Reply
October 15, 2015, 1:30 pm	Hearing/Case Management Conference

Dated: June 12, 2015                      DUCKWORTH PETERS LEBOWITZ OLIVIER LLP

By: /s/ Monique Olivier  
Monique Olivier  
Attorneys for Plaintiffs

Dated: June 12, 2015                      HAYNES & BOONE, LLP

By: /s/ Tamara I. Devitt\*  
Tamara I. Devitt  
Attorneys for Defendant

\*I, Monique Olivier, attest that Tamara Devitt has concurred in the filing of this document. (L.R. 5-1(i).)

~~PROPOSED~~ ORDER

**PURSUANT TO STIPULATION**, the following revised schedule for Plaintiffs' Class and Collective Certification Motion is:

July 24, 2015	Plaintiffs' Motion for Class/Collective Certification
August 28, 2015	Defendant's Opposition
September 25, 2015	Plaintiffs' Reply
October 15, 2015, 1:30 pm	Hearing/Case Management Conference

**IT IS SO ORDERED.**

Dated: 6/12/15

  
Richard Seeborg, Judge  
United States District Court

**DUCKWORTH PETERS LEBOWITZ OLIVIER LLP**  
100 Bush Street, Suite 1800  
San Francisco, CA 94104

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28