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12 13		
13	(Additional Counsel on Following Page)	
14	UNITED STATE	S DISTRICT COURT
16		RICT OF CALIFORNIA
17		
18	JOAN AMBROSIO et al., on behalf of themselves and those similarly situated,	Case No. 3:14-cv-02182-RS
18 19		Case No. 3:14-cv-02182-RS Assigned to: U.S. District Judge Richard Seeborg
18 19 20	themselves and those similarly situated,	Assigned to:
18 19 20 21	themselves and those similarly situated, Plaintiffs,	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND
18 19 20	themselves and those similarly situated, Plaintiffs, vs.	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION
18 19 20 21 22	themselves and those similarly situated, Plaintiffs, vs. COGENT COMMUNICATIONS, INC.,	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2)
<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	themselves and those similarly situated, Plaintiffs, vs. COGENT COMMUNICATIONS, INC.,	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2) CONTINUE HEARING AND CASE MANAGEMENT CONFERENCE;
<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol>	themselves and those similarly situated, Plaintiffs, vs. COGENT COMMUNICATIONS, INC.,	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2) CONTINUE HEARING AND CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER
<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> </ol>	themselves and those similarly situated, Plaintiffs, vs. COGENT COMMUNICATIONS, INC.,	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2) CONTINUE HEARING AND CASE MANAGEMENT CONFERENCE;
<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> <li>26</li> </ol>	themselves and those similarly situated, Plaintiffs, vs. COGENT COMMUNICATIONS, INC.,	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2) CONTINUE HEARING AND CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER
<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> <li>26</li> <li>27</li> </ol>	themselves and those similarly situated, Plaintiffs, vs. COGENT COMMUNICATIONS, INC., Defendant. STIPULATION TO: (1) CONTINUE DEADLI DEFENDANT'S MOTION FOR A STAY AND MO	Assigned to: U.S. District Judge Richard Seeborg STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2) CONTINUE HEARING AND CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER

Interface         Case No. 3:14-c-v01           4         100 Bush Street, Stuff Notice Program Structure Store Program Structure Program Struc	2	Thomas E. Duckworth/Bar No. 152369 tom@dplolaw.com Monique Olivier/Bar No. 190385
San Francisco, California 94104         T: (415) 433-0333   F: (415) 449-6556         SHELLIST   LAZARZ   SLOBIN LLP         Todd Slobin (pro hac vice)         tslobin@eco.net         11 Greenway Plaza, Suite 1515         Houston, Texas 77046         T: (713) 621-2277   F: (713) 621-0993         Attorneys for Plaintiffs         JOAN AMBROSIO, ET AL.         12         13         14         15         16         17         18         19         20         21         22         23         24         25         26         27         28         29         21         22         23         24         25         26         27         28         29         20         21         22         23         24         25         26         27         28         29         20		
Todd Slobin (pro hac vice) tslobin@eco.net       11         11       Greenway Plaza, Suite 1515         Houston, Texas 77046       T: (713) 621-2277   F: (713) 621-0993         10       Attorneys for Plaintiffs         11       JOAN AMBROSIO, ET AL.         12       Isolander (Streen (S		San Francisco, California 94104
7       Todd Slobin (pro hac vice) tslobin@ecoc.net         8       11 Greenway Plaza, Suite 1515 Houston, Texas 77046         9       T: (713) 621-2277   F: (713) 621-0993         10       Attorneys for Plaintiffs JOAN AMBROSIO, ET AL.         12       JOAN AMBROSIO, ET AL.         13       III         14       III         15       IIII         16       IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII		
8       11 Greenway Plaza, Suite 1515         Houston, Texas 77046       T: (713) 621-2277   F: (713) 621-0993         10       Attorneys for Plaintiffs         11       JOAN AMBROSIO, ET AL.         12	7	Todd Slobin (pro hac vice)
9       T: (713) 621-2277   F: (713) 621-0993         10       Attorneys for Plaintiffs         11       JOAN AMBROSIO, ET AL.         12	8	11 Greenway Plaza, Suite 1515
11       JOAN AMBROSIO, ET AL.         12       13         13       14         15       16         16       17         17       18         19       20         21       22         23       24         24       25         26       27         28       Case No. 3:14-ev-02         STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BREFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER PEOR INTERLOCUT	9	
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		Case No. 3:14-cv-02182-RS STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO

1	STIPULATION
2	Plaintiffs Joan Ambrosio, et al. ("Plaintiffs") and Defendant Cogent Communications,
3	Inc. ("Defendant") (the "Parties"), by and through their counsel of record, hereby stipulate as
4	follows:
5	WHEREAS, on January 4, 2016, the Court set a case management conference ("CMC")
6	in this matter for February 4, 2016, at 10:00 a.m. (ECF No. 80.)
7	WHEREAS, on January 19, 2016, Defendant filed a Motion to Certify Order for
8	Interlocutory Appeal (ECF No. 83) ("Motion to Certify") and a Motion for a Stay Pending
9	Appeal (ECF No. 84) ("Motion to Stay") (the "Pending Motions") and set the hearing for March
10	3, 2016.
11	WHEREAS, on January 29, 2016, the clerk of the Court gave notice that the CMC
12	previously set for February 4, 2016 is continued to March 3, 2016, at 1:30 p.m.—the same time
13	and date as the currently scheduled hearing on the Pending Motions.
14	WHEREAS, lead defense counsel, Ms. Tamara Devitt of Haynes and Boone, LLP, is
15	scheduled to be out of state at a firm event in New York City on March 3, 2016. The event has
16	already been publicized to the firm's clients, Ms. Devitt has already booked travel plans, and
17	she will be one of three primary speakers at the event.
18	WHEREAS, the Parties are available on March 10, 2016, at 1:30 p.m., to appear for a
19	hearing on the Pending Motions and for a CMC.
20	WHEREAS, to conserve party and judicial resources, the Parties agree that the hearing
21	on the Pending Motions and the CMC, currently set for March 3, 2016, should both be
22	continued to March 10, 2016.
23	WHEREAS, the Parties also respectfully request that the Court continue the briefing
24	schedule on the Pending Motions as detailed below. This enlargement of time will provide the
25	Court with ample time to review the papers prior to the hearing on the Pending Motions,
26	especially if it is held concurrently with the CMC on March 10, 2016 instead of March 3, 2016.
27	///
28	///
	1       Case No. 3:14-cv-02182-RS         STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO

1	NOW, THEREFORE, the Parties, by and through their counsel of record, hereby
2	stipulate, subject to approval of the Court, to the following:
3	(1) The CMC and hearing on the Pending Motions, currently scheduled for March 3,
4	2016, are continued to March 10, 2016, at 1:30 p.m. in the above-entitled Court.
5	(2) The briefing schedule for the Pending Motions shall be as follows:
6	February 9, 2016Plaintiffs' Opposition to Defendant's Motion to Certify
7	Order for Interlocutory Appeal
8	Plaintiffs' Opposition to Defendant's Motion for a Stay
9	Pending Appeal
10	February 19, 2016Defendant's Reply Briefs in support of Motion to Certify
11	Order for Interlocutory Appeal and Motion for a Stay
12	Pending Appeal
13	March 10, 2016, 1:30 p.m. Hearing/Case Management Conference
14	
15	IT IS SO STIPULATED.
16	
17	Respectfully submitted,
18	
19	Date:February 1, 2016HAYNES AND BOONE, LLP
20	By: <u>/s/ Matthew E. Costello</u> Matthew E. Costello
21	Attorneys for Defendant
22	COGENT COMMUNICATIONS, INC. *I, Matthew E. Costello, attest that Monique Olivier
23	has concurred in the filing of this document. (Civil L.R. 5-1(i).)
24	
25	Date:February 1, 2016DUCKWORTH PETERS LEBOWITZ OLIVIER LLP
26	By: <u>/s/ Monique Olivier</u>
27	Monique Olivier Attorneys for Plaintiffs
28	JOAN AMBROSIO, ET AL.
	2 Case No. 3:14-cv-02182-RS
	STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2) CONTINUE HEARING AND CASE MANAGEMENT CONFERENCE

1	[PROPOSED] ORDER
2	PURSUANT TO STIPULATION:
3	(1) The hearing on Defendant's Motion to Certify Order for Interlocutory Appeal
4	and Motion for a Stay Pending Appeal, currently set for March 3, 2016, shall be continued to
5	March 10, 2016, at 1:30 p.m., in the above-entitled Court.
6	(2) The case management conference, currently set for March 3, 2016, shall be
7	continued to March 10, 2016, at 1:30 p.m., in the above-entitled Court.
8	(3) The revised briefing schedule on Defendant's Motion to Certify Order for
9	Interlocutory Appeal and Motion for a Stay Pending Appeal is as follows:
10	February 9, 2016 Plaintiffs' Opposition to Defendant's Motion to Certify
11	Order for Interlocutory Appeal
12	Plaintiffs' Opposition to Defendant's Motion for a Stay
13	Pending Appeal
14	February 19, 2016Defendant's Reply Briefs in support of Motion to Certify
15	Order for Interlocutory Appeal and Motion for a Stay
16	Pending Appeal
17	March 10, 2016, 1:30 p.m. Hearing/Case Management Conference
18	
19	IT IS SO ORDERED.
20	
21	Date: 2/2/16
22	Judge Richard Seeborg
23	United States District Court
24	
25	
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	1 Case No. 3:14-cv-02182-RS [PROPOSED] ORDER

1	PROOF OF SERVICE
2	I hereby certify that on February 1, 2016, I filed the foregoing document:
3	STIPULATION TO: (1) CONTINUE DEADLINES FOR OPPOSITION AND
4	REPLY BRIEFS TO DEFENDANT'S MOTION FOR A STAY AND MOTION TO
5	CERTIFY ORDER FOR INTERLOCUTORY APPEAL; AND (2) CONTINUE
6	HEARING AND CASE MANAGEMENT CONFERENCE with the Court through this
7	district's CM/ECF system. Pursuant to Local Rule 5-1(e), the "Notice of Electronic Filing"
8	automatically generated by the CM/ECF at the time the document is filed with the system
9	constitutes automatic service of the document on counsel of record who have consented to
10	electronic service.
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13	/s/ Breean Cordova
14	Breean Cordova
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	1 Case No. 3:14-cv-02182-RS
	PROOF OF SERVICE