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14 *[Counsel Of Record Continued On Following Page]*

15
 16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19
 20 JAMES WARREN ASH, TIMOTHY E.
 HARRIS, DAVID TROY STREVA, AND
 21 TIMOTHY D. BUTLER, on behalf of
 themselves, the general public, and all others
 22 similarly situated,

23 Plaintiffs,

24 v.

25 BAYSIDE SOLUTIONS, INC., a California
 corporation, and DOES 1 through 100,
 26 inclusive,

27 Defendants.
 28

Case No. 3:14-cv-02183-WHO

**JOINT STIPULATION AND
 ORDER CONTINUING
 CASE MANAGEMENT CONFERENCE
 AND STAYING LAWSUIT PENDING
 COMPLETION OF MEDIATION**

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Attorneys for Plaintiffs
JAMES WARREN ASH, TIMOTHY E. HARRIS,
DAVID TROY STREVA, AND TIMOTHY D.
BUTLER

1 WHEREAS, Plaintiffs JAMES WARREN ASH, TIMOTHY E. HARRIS, DAVID
2 TROY STREVA, and TIMOTHY D. BUTLER (collectively, “Plaintiffs”) filed a Complaint for
3 Damages, Penalties, and Restitution (“Complaint”) against Defendant BAYSIDE SOLUTIONS,
4 INC. (“Bayside”) in Alameda Superior Court on April 8, 2014;

5 WHEREAS, Bayside was served with the Summons and Complaint on April 11,
6 2014;

7 WHEREAS, Bayside removed this lawsuit to the United States District Court,
8 Northern District of California on May 12, 2014;

9 WHEREAS, in the interest of efficiency and economy, the Parties agree that there is
10 merit in pursuing an early mediation of all issues between the parties;

11 WHEREAS, a case management conference is scheduled for November 18, 2014;

12 WHEREAS, the parties have agreed to voluntarily mediate this lawsuit and have
13 already secured a commitment with respected mediator Michael J. Loeb, Esq. to conduct mediation
14 on November 3, 2014;

15 WHEREAS, in order to have effective discussions and mediate this case, the parties
16 have agreed to an informal exchange of discovery regarding Plaintiffs’ claims and Defendant’s
17 defenses;

18 WHEREAS, the parties want to engage in the mediation process without the litigation
19 burdens associated with formal discovery and motion practice and have further agreed to seek a stay
20 of the lawsuit in its entirety in an effort to conserve the resources of both the Court and the parties
21 pending the completion of mediation;

22 WHEREAS, the parties have agreed that the aforementioned stay shall encompass the
23 parties’ November 18, 2014 Case Management Conference and the joint case management
24 statement;

25 WHEREAS, the parties agree to continue the case management conference, currently
26 scheduled for November 18, 2014 to December 2, 2014 and file an updated joint status report with
27 the Court on or before November 18, 2014, advising the Court of the status of the mediation and
28 whether the parties believe the stay should be continued;

1 WHEREAS, the parties request is not made for the purpose of delay or any other
2 improper purpose.

3 THEREFORE, in light of the parties' agreement to proceed to mediation and in an
4 effort to minimize costs, the parties stipulate and agree as follows:

5 1. The above-captioned lawsuit shall be stayed, in its entirety to December 2,
6 2014;

7 2. The parties' November 18, 2014 Case Management Conference shall be
8 continued to December 2, 2014;

9 3. The parties will submit an updated joint status report to the Court by
10 November 18, 2014 advising the Court of the status of the mediation and whether the parties believe
11 the stay should be continued.

12 IT IS SO STIPULATED.

13 Dated: September 15, 2014

LITTLER MENDELSON, P.C.

14
15 */s/ Kai-Ching Cha*
16 NATALIE A. PIERCE
17 KAI-CHING CHA
18 ROXANNA IRAN

19 Attorneys for Defendant
20 BAYSIDE SOLUTIONS, INC.

21 Dated: September 15, 2014

ERIC M. EPSTEIN, APC

22
23 */s/ Eric M. Epstein*
24 ERIC M. EPSTEIN

25 Attorney for Plaintiffs
26 JAMES WARREN ASH, TIMOTHY E.
27 HARRIS, DAVID TROY STREVA, AND
28 TIMOTHY D. BUTLER

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ORDER

Based upon the joint stipulation of all parties in the above-captioned case, and good cause appearing, it is hereby ordered that the case be stayed, in its entirety, to December 2, 2014. The parties' November 18, 2014 Case Management Conference shall be continued to December 2, 2014. The parties will submit an updated joint status report to the Court by November 18, 2014 advising the Court of the status of the mediation and whether the parties believe the stay should be continued.

IT IS SO ORDERED.

Dated: September 25, 2014



HONORABLE WILLIAM H. ORRICK
United States District Judge

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