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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

18 IN RE UBER FCRA LITIGATION

Case No.: 14-cv-05200-EMC
**STIPULATED ORDER REGARDING
 MEDIATION**
 Before: Hon. Edward M. Chen
 Trial Date: None Set

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Attorneys for Defendant HIREASE, LLC

1 The parties, pursuant to the Court's oral order of November 4, 2015 (Civil Minutes at ECF No.
2 117), hereby stipulate and agree to the following schedule in anticipation of their selected alternative
3 dispute resolution option, private mediation.

4 The parties met and conferred and after extensive discussions, selected Mark Rudy as a
5 mutually-agreeable mediator for this matter. The parties inquired into Mr. Rudy's availability
6 (including if any Saturday dates were available) and the first date Mr. Rudy is available for the
7 mediation is March 30, 2016. The parties immediately reserved the March 30, 2016 date with Mr.
8 Rudy's office to ensure the earliest practicable mediation with a mutually-agreeable qualified
9 mediator. As such, they propose the following schedule:

- 10 • Mediation Completion Date: March 31, 2016
- 11 • Deadline for Defendants Uber Technologies, Inc. and Rasier, LLC to file responsive
12 pleading to Plaintiffs' Consolidated Complaint: If mediation is unsuccessful in reaching
13 resolution, 15 days after the Mediation Completion Date.
- 14 • Deadline for Defendant Hirease, LLC to file responsive pleading to Plaintiffs'
15 Consolidated Complaint: If mediation is unsuccessful in reaching resolution, 15 days
16 after the Ninth Circuit resolves the pending appeal of this Court's denial of Defendants'
17 motion to compel arbitration.¹
- 18 • Deadline for opposition to any motions filed as responsive pleadings to Plaintiffs'
19 Consolidated Complaint: 30 days after the filing of the motions.
- 20 • Deadline to file replies in further support of any motions filed as responsive pleadings
21 to Plaintiffs' Consolidated Complaint: 14 days after the filing of the oppositions to such
22 motions.
- 23 • Deadline to file motions under Rule ¹⁸⁰23 related to class certification: If mediation is
24 unsuccessful in reaching resolution, ~~225~~ days after the Mediation Completion Deadline.

26
27 ¹ Hirease is a defendant in only one count of the Consolidated Complaint, the Eleventh Cause of
28 Action, which is brought only by Named Plaintiff Mohamed, whose claims are stayed with the
exception of his individual claims. Therefore the parties have agreed to a different deadline for
Hirease to respond to the Consolidated Complaint.

1 or ~~225~~ days after the Court's resolution of any dispositive motion filed in response to
2 Plaintiffs' Consolidated Complaint, whichever is later.

- 3 • Deadline to file opposition to motions under Rule 23 related to class certification: 60
4 days after the filing of the underlying motions (Plaintiffs' proposal) or ~~75 days after the~~
5 ~~filing of the underlying motions (Defendants' proposal).~~²
- 6 • Deadline to file replies in further support of motions under Rule 23 related to class
7 certification: 30 days after the filing of the underlying motions.
- 8 • Class certification hearing: Next hearing date that is at least 21 days after filing of reply
9 to motion.
- 10 • All other deadlines: TBD after decision on motions under Rule 23 related to class
11 certification.

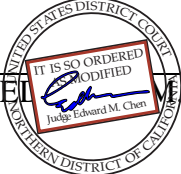
12 The parties agree that nothing contained herein waives any party's rights, objections, or
13 defenses of any kind, including but not limited to Defendants' standing objections to this Court's
14 jurisdiction and Defendants' assertions that certain named plaintiffs and putative class members are
15 bound to assert their claims, if at all, in individual arbitration.

16 In light of the parties' agreements stated herein, the parties respectfully request that the
17 deadline to submit a further case management conference statement on December 3, 2015 and the case
18 management conference scheduled for December 10, 2015 be vacated. The deadlines stated above
19 would have formed the only relevant modifications to the parties' previously submitted case
20 management conference statements in a December 3rd filing.

21 IT IS SO ORDERED as STIPULATED this _____^{25th} day of _____^{December}, 2015:

22
23
24

HONORABLE JUDGE _____ CHEN



25 ² The parties disagree on the relevant timing for just this deadline and have agreed to request that the
26 Court simply circle the deadline which it accepts and delete the date it rejects. Defendants note that
27 the Court ordered a deadline for filing opposition to class certification in the *O'Connor* case that was
28 specific to *O'Connor* and should not apply here. Rather, Plaintiffs believe that the opposition and
reply schedule should continue to be the one Defendants previously agreed to in the parties' joint case
management conference statements of May 7, 2015 and July 31, 2015. *See Gillette* ECF Nos. 34, 76.

1 Dated: November 24, 2015

Respectfully submitted,

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23 **ATTESTATION OF FILER**

24 I, Andrew P. Lee, attest that concurrence in the filing of this document has been obtained from
25 each of the other Signatories, which shall serve in lieu of their signatures on the document. Signed this
26 24th day of November, 2015.

27 /s/ Andrew P. Lee

28 Andrew P. Lee