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Attorneys for Defendant Uber Technologies, Inc.

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

JAMES LATHROP, JONATHAN
 GRINDELL, SANDEEP PAL, JENNIFER
 REILLY, and JUSTIN BARTOLET on
 behalf of themselves and all others
 similarly situated,
 Plaintiffs,
 v.
 UBER TECHNOLOGIES, INC.,
 Defendant.

Case No. 14-cv-05678-JST
 Honorable Jon S. Tigar
**STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING PLAINTIFFS'
 THIRD AMENDED COMPLAINT**

1 Plaintiffs James Lathrop, Jonathan Grindell, Sandeep Pal, Jennifer Reilly, and Justin
2 Bartolet (collectively, “Plaintiffs”) and Defendant Uber Technologies, Inc. (“Defendant”), by and
3 through their respective attorneys of record, stipulate and agree as follows:

4 WHEREAS, on June 7, 2016, Plaintiffs sought leave of the Court to file a Third Amended
5 Complaint (Dkt. No. 177);

6 IT IS HEREBY STIPULATED THAT:

7 ~~Subject to Court approval, the Third Amended Complaint¹ shall be deemed filed, pursuant~~
8 ~~to Fed. R. Civ. P. 15(a)(1)(B), on the date that the Court enters its Order pursuant to this~~
9 ~~Stipulation;~~ The plaintiff shall file the Third Amended Complaint within 3 days of this Order;

10 Defendant may file its responsive pleading within 30 days of the filing of the Third
11 Amended Complaint. If Defendant chooses to answer the Third Amended Complaint, Defendant
12 need only respond to the new allegations, with Defendant’s current Answer [Dkt. No. 56]
13 answering the previously-pled allegations;

14 Plaintiffs’ Motion to Defer Court’s Consideration of Defendant’s Motion for Summary
15 Judgment Until After The Order on Class Certification (Dkt. No. 172) and Defendant’s Motion
16 for Summary Judgment (Dkt. No. 146) shall not be mooted, delayed, or otherwise impacted by
17 the filing of the Third Amended Complaint, but the parties may file corrected versions of these
18 two motions with references to the Third Amended Complaint within 7 days of the Court’s Order
19 pursuant to this Stipulation;

20 Neither party will rely on the filing of the Third Amended Complaint as a basis to request
21 modification of any of the deadlines in the current Scheduling Order (Dkt. No. 153); and

22 Should it so choose, Defendant may seek to reopen the depositions of Plaintiffs Lathrop,
23 Grindell, Reilly, and Bartolet. However, any new examination must be limited only to the issues
24 raised by the amendments to the Second Amended Complaint. Should they occur, said

25
26 _____
27 ¹ Corrected versions—both in redline and final—of the Third Amended Complaint stipulated to
28 by the Parties are attached hereto as Exhibits A and B, respectively. The previously filed Third
Amended Complaint (Dkt Nos. 177-3 and 177-4) contains an unintentional deletion of paragraphs
75-87, which has been remedied in the attached exhibits.

1 depositions must be conducted either via teleconference or videoconference, or in person in the
2 town in which each aforementioned Plaintiff resides at the time of the deposition.

3
4 DATED: June 21, 2016

TYCKO AND ZAVAREEI, LLP

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By: /s/ Hassan A. Zavareei
Hassan A. Zavareei, Bar No. 181547
hzavareei@tzlegal.com

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Attorneys for Plaintiffs

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DATED: June 21, 2016

PERKINS COIE LLP

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By: /s/ Sarah Crooks
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Attorneys for Defendant

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 22, 2016



The Honorable Jon S. Tigar
UNITED STATES DISTRICT JUDGE

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FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation.

DATED: June 21, 2016

TYCKO & ZAVAREEI LLP

By: /s/ Hassan A. Zavareei
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hzavareei@tzlegal.com

Attorney for Plaintiffs