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19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA

21 JULIA BERNSTEIN, LISA MARIE SMITH,
 22 and ESTHER GARCIA, on behalf of
 23 themselves and all others similarly situated,

24 Plaintiffs,

25 vs.

26 VIRGIN AMERICA, INC.; and Does 1-10,
 27 inclusive;

28 Defendants.

Case No. 15-cv-02277-JST

**JOINT STIPULATION TO CONTINUE
 HEARING ON DEFENDANT VIRGIN
 AMERICA INC.'S MOTION FOR
 SUMMARY JUDGMENT;
 [PROPOSED] ORDER THEREON**

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STIPULATION

Plaintiffs Julia Bernstein, *et al.* (“Plaintiffs”) and Defendant Virgin America Inc. (“Defendant”) (collectively, the “Parties”), through their counsel, hereby stipulate and agree that:

WHEREAS the hearing on Defendant’s Motion for Summary Judgment is currently set to be heard December 1, 2016 at 2:00 p.m.

WHEREAS lead counsel for Defendant is battling the flu and does not feel that he will be sufficiently well to participate in the hearing;

WHEREAS the first date the Parties are jointly available is December 9, 2016;

WHEREAS the Parties are also available December 13, 2016 and understand that, if set for this date, the hearing may take place in Oakland. Defendant is unavailable on December 5-6; Plaintiffs are unavailable December 7, 8, 12 and December 14, 2016 to December 20, 2016.

NOW, THEREFORE, based on the foregoing, the Parties hereby stipulate, subject to the approval of the Court, to continue the hearing on Defendant’s Motion for Summary Judgment from December 1, 2016 to December 9, 2016 at 2:00 p.m., or as soon thereafter as the matter may be heard.

Dated: November 30, 2016

DUCKWORTH PETERS LEBOWITZ OLIVIER LLP

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

Dated: November 30, 2016

MORGAN LEWIS & BOCKIUS

By: /s/ Robert Jon Hendricks
Robert Jon Hendricks
Nancy Villarreal
Attorneys for Defendant

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

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PROPOSED ORDER

Pursuant to the stipulation of the Parties, and good cause appearing, the new hearing date on Defendant Virgin America Inc.'s Motion for Summary Judgment is ~~December 9, 2016 at 2:00 p.m., or~~ December 13, 2016 at 2:00pm, ~~in Courtroom 2, 4th Floor, of the Oakland Courthouse located at 1301 Clay Street Oakland, CA 94612.~~ in Courtroom 15, 18th Floor of the San Francisco Courthouse.

IT IS SO ORDERED.

DATED: December 1, 2016



Hon. Jon S. Tigar
United States District Judge