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9 *Attorneys for Plaintiffs and the Proposed Class*

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11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA

14 MARCUS A. ROBERTS,  
15 KENNETH A. CHEWEY,  
16 ASHLEY M. CHEWEY, AND  
17 JAMES KRENN, on behalf of  
themselves and all others similarly  
situated,

18 Plaintiffs,

19 v.

20 AT&T MOBILITY LLC,

21 Defendant.

Case No. 3:15-cv-3418-EMC

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER VACATING CASE MANAGEMENT  
CONFERENCE**

Judge: Hon. Edward M. Chen

1 Plaintiffs Marcus A. Roberts, Kenneth A. Chewey, and Ashley M. Chewey (“Plaintiffs”)  
2 and Defendant AT&T Mobility LLC (“AT&T”) hereby stipulate and respectfully request that the  
3 Case Management Conference scheduled in this matter for March 23, 2017 be vacated and  
4 rescheduled as set forth below, for the reasons set forth herein:

5 1. A Case Management Conference is currently scheduled in this matter for March  
6 23, 2017, at 9:30 a.m., with an updated Joint Case Management Conference Statement due by  
7 March 16, 2017. (Docket No. 75).

8 2. This action is currently stayed and on appeal. On April 27, 2016, the Court  
9 entered an order “grant[ing] AT&T’s motion to compel arbitration” and “stay[ing] this action  
10 pending the resolution of the arbitration.” (Docket No. 60). On June 27, 2016, the Court granted  
11 Plaintiffs’ motion to certify for interlocutory appeal the Court’s arbitration order. (Docket No.  
12 69). On October 20, 2016, the Court of Appeals granted Plaintiffs permission to appeal pursuant  
13 to 28 U.S.C. § 1292(b). (Docket No. 77-1). Briefing on Plaintiffs’ appeal is underway. There is  
14 currently no date set for oral argument on Plaintiffs’ appeal.

15 3. Given the current procedural posture—*i.e.*, the stay and pending appeal—the  
16 parties respectfully jointly request that the Case Management Conference currently scheduled for  
17 March 23, 2017 be vacated, with the parties ordered to submit, within ten (10) days following the  
18 resolution of Plaintiffs’ pending appeal, a joint status report and request for further status  
19 conference.  
20

21 **IT IS SO STIPULATED.**  
22

23  
24 Dated: March 10, 2017

LIEFF CABRASER HEIMANN & BERNSTEIN  
LLP

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26 By: /s/ Roger N. Heller

Roger N. Heller  
Attorneys for Plaintiffs and the Proposed Class  
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Dated: March 10, 2017

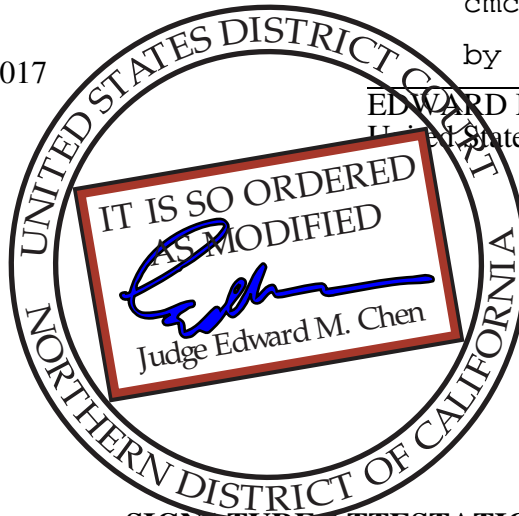
MAYER BROWN LLP

By: /s/ Donald M. Falk  
Donald M. Falk  
Attorneys for Defendant  
AT&T Mobility LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED. The CMC is reset for  
12/14/17. An updated joint  
cmc statement shall be filed  
by 12/7/17.

Date: 3/13, 2017

EDWARD M. CHEN  
United States District Judge



**SIGNATURE ATTESTATION**

I am the ECF User whose identification and password are being used to file the foregoing document. In compliance with General Order 45, I hereby attest that the signatories indicated above via a conformed signature have concurred in this filing.

By: /s/ Roger N. Heller

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