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Attorneys for AT&T Mobility LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

15 MARCUS A. ROBERTS,
 16 KENNETH A. CHEWEY,
 17 ASHLEY M. CHEWEY, AND
 18 JAMES KRENN, on behalf of themselves and
 all others similarly situated,
 19 Plaintiffs,
 20 v.
 21 AT&T MOBILITY LLC,
 Defendant.

Case No. 3:15-cv-03418-EMC

**CORRECTED JOINT STIPULATION
 AND [PROPOSED] ORDER
 CONTINUING DECEMBER 14, 2017
 CASE MANAGEMENT CONFERENCE**

Honorable Edward M. Chen

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1 Plaintiffs Marcus A. Roberts, Kenneth A. Chewey, and Ashley M. Chewey and Defendant
2 AT&T Mobility LLC (“AT&T”) hereby stipulate and request as follows:

3 1. On March 13, 2017, the Court entered an order scheduling a case management
4 conference in this matter for December 14, 2017 at 9:30 a.m. and setting a December 7, 2017
5 deadline for the parties to file a joint case management statement. Dkt. No. 79.

6 2. This action is currently stayed. On April 27, 2016, the Court entered an order
7 “grant[ing] AT&T’s motion to compel arbitration” and “stay[ing] this action pending the
8 resolution of the arbitration.” Dkt. No. 60, at 18. Plaintiffs’ appeal of that order, which the
9 Ninth Circuit assigned case number 16-16915, is currently pending and was argued on October
10 17, 2017.

11 3. Because the action has been stayed and Plaintiffs’ appeal of the Court’s
12 arbitration order remains pending, the parties respectfully request that the Court: (a) continue the
13 case management conference currently scheduled for December 14, 2017; and (b) direct the
14 parties to submit a joint status report within fourteen (14) days after the Court of Appeals rules
15 on Plaintiffs’ pending appeal.

16 Dated: December 4, 2017

MAYER BROWN LLP

17 /s/ Donald M. Falk
18 DONALD M. FALK
19 *Attorney for Defendant AT&T Mobility LLC*

LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP

20 /s/ Michael Sobol
21 MICHAEL SOBOL
22 *Attorney for Plaintiffs and the Proposed Class*

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24 *Pursuant to Civil Local Rule 5-1(i)(3), I, Donald M. Falk, attest under penalty of perjury that*
25 *concurrence in the filing of this document has been obtained from all signatories.*

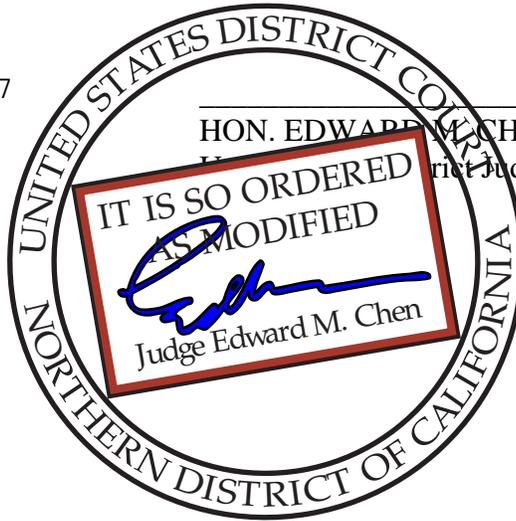
26 /s/ Donald M. Falk
27 DONALD M. FALK

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

The further CMC is
2 reset to 3/1/18 at 10:30
3 a.m.

4 Dated: 12/6/17

HON. EDWARD M. CHEN
District Judge



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