

BLUMENTHAL, NORDREHAUG & BHOWMIK
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Attorneys for Defendant
RANDSTAD US, L.P.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCUS BETORINA, JOSEPH DIAZ, and
FRED BELL, individuals on behalf of themselves
and on behalf of all persons similarly situated,

Plaintiffs,

v.

RANDSTAD US, L.P., a Limited Partnership; and
Does 1 through 50, inclusive,

Defendant.

Case No. 3:15-CV-03646-EMC

**STIPULATION AND PROPOSED ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE**

Date: November 10, 2016
Time: 10:30 a.m.
Dept.: Ctrm. 5

Plaintiffs Marcus Betorina, Joseph Diaz, and Fred Bell ("Plaintiffs") and Defendant Randstad
US, L.P. ("Randstad") (collectively "the Parties"), by and through their respective counsel, stipulate as

1 follows:

2 1. On August 8, 2016, the Parties attended a mediation and reached an agreement to resolve
3 this matter. They memorialized this agreement in a memorandum of understanding in which the Parties
4 agreed to enter into a long-form settlement agreement.

5 2. Since then, the Parties have been working to finalize the long-form settlement agreement.
6 The Parties have not yet finalized that settlement due to counsels' schedules and the Parties' desire to
7 present the Court with a long-form agreement sufficient for preliminary approval, which includes a
8 mechanism for class members to opt-into settlement of FLSA claim, which will be asserted in a
9 proposed amended complaint, for settlement purposes only, prepared by Plaintiffs' counsel.

10 3. A case management conference in this case is currently scheduled for November 10,
11 2016.

12 4. Since the Parties need to finalize their agreement before Plaintiffs file the preliminary
13 approval papers, which would be the main topic of discussion at the upcoming case management
14 conference, the Parties request that the Court continue the case management conference for thirty days
15 or another date that the Court deems appropriate. The Parties believe that will allow them sufficient
16 time to finalize the long-form settlement agreement so that a motion for preliminary approval can be
17 filed.

18 **IT IS SO STIPULATED.**

19 DATED: November 3, 2016

Respectfully submitted,

20 BLUMENTHAL, NORDREHAUG &
21 BHOWMIK

22
23 By: /s/ Kyle R. Nordrehaug

Norman B. Blumenthal

Kyle R. Nordrehaug

Aparajit Bhowmik

Piya Mukherjee

24
25
26 Attorneys for Plaintiff

MARCUS BETORINA, JOSEPH DIAZ and
27 FRED BELL
28

1 DATED: November 3, 2016

Respectfully submitted,

2 SEYFARTH SHAW LLP

3
4 By: /s/ Michael A. Wahlander

5 Andrew M. McNaught

6 Michael A. Wahlander

7 Duwayne A. Carr

8 Attorneys for Defendant

9 RANDSTAD US, L.P.

10 **ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)**

11 I, Michael A. Wahlander, attest that concurrence in the filing of this stipulation has been
12 obtained from the signatory, Kyle Nordrehaug, counsel for Plaintiff.

13 DATED: November 3, 2016

By: /s/ Michael A. Wahlander

14 Michael A. Wahlander

15 **[PROPOSED ORDER]**

16 Pursuant to the Parties' stipulation and good cause appearing therefore, the Court orders as
17 follows:

18 The Case Management Conference currently scheduled for November 10, 2016 is VACATED.
19 The Case Management Conference is reset for 12/22, 2016.

20 **IT IS SO ORDERED.**

21 DATED: 11/7, 2016

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