

1 BLUMENTHAL, NORDREHAUG & BHOWMIK  
 Norman B. Blumenthal (SBN 068687)  
 2 Kyle R. Nordrehaug (SBN 205975)  
 Aparajit Bhowmik (SBN 248066)  
 3 Molly A. DeSario (SBN 230763)  
 Piya Mukherjee (SBN 274217)  
 4 2255 Calle Clara  
 La Jolla, California 92037  
 5 Telephone: (858) 551-1223  
 Facsimile: (858) 551-21232

6 Attorneys for Plaintiffs

8 SEYFARTH SHAW LLP  
 Andrew M. McNaught (SBN 209093)  
 9 amcnaught@seyfarth.com  
 Michael A. Wahlander (SBN 260781)  
 10 mwahlander@seyfarth.com  
 Duwayne A. Carr (SBN 299136)  
 11 dacarr@seyfarth.com  
 560 Mission Street, 31st Floor  
 12 San Francisco, California 94105  
 Telephone: (415) 397-2823  
 13 Facsimile: (415) 397-8549

14 Attorneys for Defendant  
 15 RANDSTAD US, L.P.

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA

20 MARCUS BETORINA, JOSEPH DIAZ, and  
 FRED BELL, individuals on behalf of themselves  
 21 and on behalf of all persons similarly situated,  
 22 Plaintiffs,  
 23 v.  
 24 RANDSTAD US, L.P., a Limited Partnership; and  
 Does 1 through 50, inclusive,  
 25 Defendant.  
 26

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

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

Date: December 22, 2016  
 Time: 10:30 a.m.  
 Dept.: Ctrm. 5

27 Plaintiffs Marcus Betorina, Joseph Diaz, and Fred Bell (“Plaintiffs”) and Defendant Randstad  
 28 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 ("CMC") in this case is currently scheduled for  
11 December 22, 2016. The Court continued the previous CMC to allow the Parties additional time to  
12 finish reducing their agreement to writing. Since the continuance, the Parties have been working  
13 together to finalize their agreement. The Parties are nearly finished with the agreement, but are not yet  
14 done. The Parties still believe that they will be able to reduce their agreement in writing.

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

20 **IT IS SO STIPULATED.**

21 DATED: December 14, 2016

Respectfully submitted,

22 BLUMENTHAL, NORDREHAUG &  
23 BHOWMIK

24 BY: /s/ Kyle R. Nordrehaug

Norman B. Blumenthal  
Kyle R. Nordrehaug  
Aparajit Bhowmik  
Piya Mukherjee

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26  
27 Attorneys for Plaintiff  
MARCUS BETORINA, JOSEPH DIAZ and  
28 FRED BELL

1 DATED: December 14, 2016

Respectfully submitted,

2 SEYFARTH SHAW LLP

3 BY: /s/ Michael A. Wahlander

4 Andrew M. McNaught  
5 Michael A. Wahlander  
6 Duwayne A. Carr

7 Attorneys for Defendant  
8 RANDSTAD US, L.P.

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

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

12 DATED: December 14, 2016

13 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 December 22, 2016 is VACATED.  
19 The Case Management Conference is reset for 2/2, 2017. A Joint Case  
20 Management Conference Statement is due on 1/26, 2017.

21 **IT IS SO ORDERED.**

22 DATED: 12/20, 2016

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