

1 Jahan C. Sagafi (Cal. Bar No. 224887)
 2 jsagafi@outtengolden.com
 3 Relic Sun (Cal. Bar No. 306701)
 4 rsun@outtengolden.com
 5 OUTTEN & GOLDEN LLP
 6 One Embarcadero Center, 38th Floor
 7 San Francisco, California 94111
 8 Telephone: (415) 638-8800
 9 Facsimile: (415) 638-8810

10 Michael N. Litrownik (admitted *pro hac vice*)
 11 mlitrownik@outtengolden.com
 12 3 Park Avenue, 29th Floor
 13 New York, New York 10016
 14 Telephone: (212) 245-1000
 15 Facsimile: (646) 509-2060

16 Jason C. Marsili (Cal. Bar No. 233980)
 17 jmarsili@posner-rosen.com
 18 Brianna M. Primozic (Cal. Bar No. 274397)
 19 bprimozic@posner-rosen.com
 20 POSNER & ROSEN LLP
 21 3600 Wilshire Boulevard, Suite 1800
 22 Los Angeles, California 90010
 23 Telephone: (213) 389-6050
 24 Facsimile: (213) 389-0663

25 *Attorneys for Plaintiffs and proposed*
 26 *Collective and Class Members*

27 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

28 WENDELL WALTON and MICHAEL
 29 MANTONYA, individually and on behalf of
 30 all others similarly situated,
 31
 32 Plaintiffs,
 33
 34 v.
 35 AT&T SERVICES, INC.
 36
 37 Defendant.

Thomas R. Kaufman (Cal. Bar No. 177936)
tkaufman@sheppardmullin.com
 Paul Berkowitz (Cal Bar. No. 251077)
pberkowitz@sheppardmullin.com
 Michael T. Campbell (Cal. Bar No. 293376)
mcampbell@sheppardmullin.com
 SHEPPARD, MULLIN, RICHTER
 & HAMPTON LLP
 1901 Avenue of the Stars, Suite 1600
 Los Angeles, California 90067-6055
 Telephone: (310) 228-3700
 Facsimile: (310) 228-3701

Attorneys for Defendant AT&T Services, Inc.

Case No. 15-cv-03653-VC

**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE BRIEFING
 SCHEDULE AND HEARING DATE FOR
 AT&T'S SUMMARY JUDGMENT
 MOTIONS**

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE
 BRIEFING SCHEDULE AND HEARING DATE FOR
 AT&T'S SUMMARY JUDGMENT MOTIONS
 CASE NO. 15-CV-03653-VC

1 Plaintiffs Wendell Walton and Michael Mantonya (“Plaintiffs”) and Defendant AT&T
2 Services, Inc. (“AT&T”) hereby stipulate and agree as follows:

3 WHEREAS, on August 25, 2016, AT&T filed Motions for Summary Judgment as to
4 Plaintiffs Wendell Walton and Michael Mantonya, ECF Nos. 92 and 93;

5 WHEREAS, on August 26, 2016, Plaintiffs filed an Administrative Motion to take off
6 calendar AT&T’s Motions, ECF No. 95;

7 WHEREAS, the parties agreed to withdraw their respective motions and meet and confer
8 on a briefing schedule and a timetable to complete the discovery reasonably necessary for
9 Plaintiffs to oppose the summary judgment motion;

10 WHEREAS, on September 7, 2016, AT&T refiled its Motions for Summary Judgment as
11 to both Plaintiffs and set a hearing date of November 17, ECF Nos. 99 and 100, but stated it was
12 willing to stipulate to a briefing schedule that might include a later hearing date;

13 WHEREAS, per the local rules, this filing automatically triggered a deadline of September
14 21 for Plaintiffs’ opposition briefs;

15 WHEREAS, the parties have met and conferred and continue to meet and confer by letter
16 and telephone regarding the appropriate scope of depositions and document production (including
17 reasonable ESI discovery);

18 WHEREAS, Plaintiffs are exploring whether to bring affirmative motions for summary
19 judgment;

20 WHEREAS, AT&T has agreed to extend the deadline to respond beyond the present
21 September 21 deadline while the parties continue to attempt to establish a schedule;

22 WHEREAS, the parties propose the revised deadlines and hearing date set forth below,
23 without prejudice to a further stipulation or unilateral request by Plaintiffs to further extend the
24 schedule as they deem necessary to oppose the summary judgment motion;

25 WHEREAS, Plaintiffs may bring a unilateral request to move the summary judgment
26 hearing date so that all summary judgment motions may be heard on the same date; and
27

1 WHEREAS, if the parties cannot ultimately agree on the appropriate scope and timing of
2 the above-referenced discovery, the parties will request a telephonic hearing with the Court.

3 THEREFORE, the parties hereby propose the following briefing and hearing schedule for
4 AT&T's Motions (ECF Nos. 99 and 100):

Item	Current Deadline	Proposed Deadline
Plaintiffs' Opposition	September 21, 2016	November 3, 2016
AT&T's Reply	September 28, 2016	November 17, 2016
MSJ Hearing	November 17, 2016	December 1, 2016

8 Dated: September 16, 2016

Respectfully submitted,

9
10 By: /s/ Jahan C. Sagafi
Jahan C. Sagafi

11 Jahan C. Sagafi (Cal. Bar No. 224887)
12 Relic Sun (Cal. Bar No. 306701)
13 OUTTEN & GOLDEN LLP
14 One Embarcadero Center, 38th Floor
15 San Francisco, CA 94111
16 Telephone: (415) 638-8800
17 Facsimile: (347) 390-2187

18 Michael N. Litrownik (admitted *pro hac vice*)
19 3 Park Avenue, 29th Floor
20 New York, NY 10016
21 Telephone: (212) 245-1000
22 Facsimile: (646) 509-2060

23 Jason C. Marsili (Cal. Bar No. 233980)
24 Brianna M. Primozic (Cal. Bar No. 274397)
25 POSNER & ROSEN LLP
26 3600 Wilshire Boulevard, Suite 1800
27 Los Angeles, CA 90010
Telephone: (213) 389-6050
Facsimile: (213) 389-0663

*Attorneys for Plaintiffs and Proposed Collective
and Class Members*

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Dated: September 16, 2016

By: /s/ Thomas R. Kaufman
Thomas R. Kaufman

SHEPPARD, MULLIN, RICHTER
& HAMPTON LLP

Thomas R. Kaufman (Cal. Bar. No. 177936)

Paul Berkowitz (Cal Bar. No. 251077)

Michael T. Campbell (Cal. Bar No. 293376)

1901 Avenue of the Stars, Suite 1600

Los Angeles, California 90067-6055

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Facsimile: (310) 228-3701

Attorneys for Defendant AT&T Services, Inc.

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ORDER

The briefing schedule and hearing date for AT&T's Summary Judgment Motions, ECF Nos. 99 and 100, are hereby adjourned to the following dates:

Item	Current Deadline	Proposed Deadline
Plaintiffs' Opposition	September 21, 2016	November 3, 2016
AT&T's Reply	September 28, 2016	November 17, 2016
Hearing	November 17, 2016	December 1, 2016

It is so **ORDERED**.

Dated: September 16, 2016

By:  _____

THE HONORABLE VINCE CHHABRIA
UNITED STATES DISTRICT COURT JUDGE

