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15
16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 **KAITLYN SHEPARDSON,**
19 individually, and on behalf of other members
of the general public similarly situated,

21 Plaintiff,

22 vs.

23 **ADECCO USA, INC.,**
24 and **DOES 1 through 100, inclusive,**

25 Defendants.

CASE No.: 3:15-cv-05102-EMC
(SAN MATEO SUPERIOR COURT CIV 535091)
CLASS ACTION

**JOINT CASE MANAGEMENT
CONFERENCE**
HON. EDWARD M. CHEN / ROOM 5

DATE: NOVEMBER 16, 2017
TIME: 10:30 A.M.
ROOM: 5

1 By and through their respective counsel of record, Plaintiff Kaitlyn Shepardson
2 (“Plaintiff”) and Defendant ADECCO USA INC, (“Defendant”) hereby submit this Joint Case
3 Management Statement:

4 Plaintiff filed the proposed class action on or about August 18, 2015. Defendant
5 removed the action to this Court and filed a Motion to Compel single plaintiff arbitration
6 pursuant to the Arbitration Agreement between the parties. The Court granted Defendant’s
7 Motion to Compel single plaintiff arbitration pursuant to the arbitration agreement, which
8 contains a ban on class actions.
9

10 After the Court ruled on the Motion to Compel in this case, the Ninth Circuit Court of
11 Appeal in *Morris v. Ernst Young* held that bans on class actions in arbitration agreements
12 violate the National Labor Relations Act. The United States Supreme Court granted review of
13 the *Morris v. Ernst Young* decision to resolve the enforceability of class actions bans in
14 arbitration agreements in light of the National Labor Relations Act. This matter was stayed
15 pending resolution of this issue as it may impact whether the ban on class actions in this case is
16 valid.
17

18 The Supreme Court held oral argument on October 2, 2017. As of the date of this
19 submission, the Supreme Court has yet to render a decision.
20

21 Should the Supreme Court issue their Opinion by November 13, 2017 the parties will be
22 prepared to discuss at the CMC how to proceed based on the outcome of *Morris v. Ernst*
23 *Young*. Should the Supreme Court not issue their Opinion by November 13, 2017, the parties

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request a two-week continuance to allow the Supreme Court to rule.

DATED: NOVEMBER 6, 2017

RIGHETTI • GLUGOSKI P.C.

By: /s/John Glugoski
John Glugoski
Attorneys for Plaintiff

BRYAN CAVE LLP

By: /s/JULIE PATTERSON
JULIE PATTERSON
Attorneys for Defendant

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ORDER

Based on the foregoing Stipulation and good cause appearing, IT IS HEREBY ORDERED AS FOLLOWS:

The Case Management Conference set for November 16, 2017 shall be continued to December 12, 2017 at 2:30 p.m. The stay of this action shall remain in effect pending the resolution of Morris v. Ernst Young. A Joint Case Management Conference Statement shall be due December 5, 2017

Dated: ~~October~~ ^{11/14} ____, 2017

