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7 Attorneys for Plaintiff,
 8 JOHN UTNE and CLASS MEMBERS

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 JOHN UTNE, on behalf of himself, all others
 12 similarly situated, and the general public,
 13
 Plaintiff,
 14
 vs.
 15 HOME DEPOT U.S.A., INC., a Delaware
 16 corporation; and DOES 1-50, inclusive,
 17
 Defendants.

Case No.3:16-cv-01854-RS

**JOINT STIPULATION AND ORDER TO
 SET BRIEFING SCHEDULE AND
 HEARING DATE FOR DEFENDANT'S
 MOTION TO DECERTIFY**

Action Filed: March 8, 2016

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JOINT STIPULATION

This Joint Stipulation to set a briefing schedule and hearing date for Defendant’s Motion to Decertify is made by and between Plaintiff John Utne (“Plaintiff”) and Defendant Home Depot U.S.A., Inc. (“Defendant”), through their respective counsel of record, with reference to the following facts:

1. Defendant filed their Motion to Decertify (“Motion”) on October 16, 2019. ECF No. 152. Responses to the Motion are due by October 30, 2019. Replies are due by November 6, 2019. The hearing date for the Motion is December 12, 2019.
2. In order to have sufficient time to draft an opposition, including taking the deposition of the expert witness whose declaration is submitted in support of the motion and due to other pre-existing deadlines and appearances in other matters, Plaintiff’s counsel requested an extension of time to file an opposition to Defendant’s Motion to Decertify.
3. To date, the following deadlines in this action have been modified: (1) Stipulation to Continue Initial Case Management Conference and Order granting same (Dkt Nos. 17 and 18); Stipulation to Continue Class Certification Briefing and Hearing and Order granting same (Dkt Nos. 35 ad 36); Stipulation to Continue Briefing and Hearing and Order granting same (Dkt Nos. 110 and 111); Defendant’s Motion to Enlarge Time to Oppose Plaintiff’s Motion for Partial Summary Judgment and Order granting same (Dkt Nos. 122 and 124); Stipulation to Extend Plaintiff’s Deadline to Oppose Motion for Partial Summary Judgment and Order Granting Same (Dkt 130); Stipulation to Extend Expert Deadlines, Defendant’s Decertification Motion Deadline, Pretrial Conference and Trial Date (Dkt 144); and Stipulation to Extend Expert Deadlines, Decertification Motion Deadline, Pretrial Conference and Trial Date. (Dkt 151).
4. The Parties propose the following schedule for Defendant’s Decertification Motion Briefing and the hearing date:

EVENT	PROPOSED DATE
Plaintiff’s Opposition to Defendant’s Decertification Motion Deadline	December 2, 2019
Defendant’s Reply ISO Defendant’s Decertification Motion Deadline	January 9, 2020
Hearing Date for Defendant’s Decertification Motion Deadline	January 23, 2020 at 1:30 p.m. or as soon thereafter as the

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IT IS SO STIPULATED.

Dated: October 23, 2019

SETAREH LAW GROUP

By: /s/ Shaun Setareh
Shaun Setareh
Attorneys for Plaintiff,
John Utne

Dated: October 23, 2019

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Liz Bertko
Liz Bertko
Attorneys for Defendant,
Home Depot U.S.A., Inc.

Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this document has been obtained from each of the above signatories.

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ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the following deadlines and hearing date are entered:

EVENT	DATE
Plaintiff's Opposition to Defendant's Decertification Motion Deadline	December 2, 2019
Defendant's Reply ISO Defendant's Decertification Motion Deadline	January 9, 2020
Hearing Date for Defendant's Decertification Motion Deadline	January 23, 2020 at 1:30 p.m. or as soon thereafter as the Court is available

Dated: 10/25/19



Honorable Richard Seeborg
United States District Judge