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15 *[Additional Counsel Listed on Follow Page]*

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION

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 20  
 21 TODD JOHNSTON, individually and on  
 behalf of a class of similarly situated  
 22 persons,

23 Plaintiff,

24 v.

25 UBER TECHNOLOGIES, INC., a  
 Delaware Corporation,

26 Defendant.

Case No. 3:16-CV-03134-EMC

**JOINT STIPULATION TO ADJOURN  
 CASE MANAGEMENT CONFERENCE  
 AND [PROPOSED] ORDER**

Current CMC Date: November 30, 2017

Complaint Filed: June 9, 2016

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17 TODD JOHNSTON  
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1 **[PROPOSED] ORDER**

2 PURSUANT TO STIPULATION, IT IS SO ORDERED.

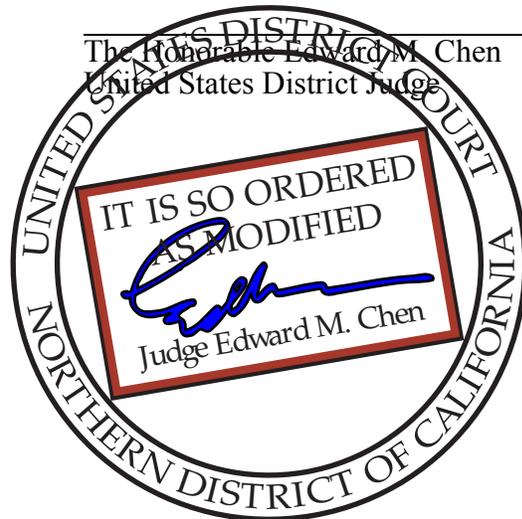
3 1. The November 30, 2017 Case Management Conference is adjourned pending the  
4 Supreme Court's decision in *Morris v. Ernst & Young, LLP*, 834 F.3d 975 (9th Cir. 2016), *cert.*  
5 *granted* (U.S. Jan. 13, 2017) (No. 16-300) ("*Morris*"), consolidated with *Epic Sys. Corp. v. Lewis*,  
6 823 F.3d 1147 (7th Cir. 2016), *cert. granted* (U.S. Jan. 13, 2017) (No. 16-285) and *Murphy Oil USA,*  
7 *Inc. v. NLRB*, 808 F.3d 1013 (5th Cir. 2015) *cert. granted* (U.S. Jan. 13, 2017) (No. 16-307).

8 2. The Parties shall file a joint status report and proposal for setting a Case Management  
9 Conference within fourteen days of the decision in *Morris v. Ernst & Young, LLP*.

10 IT IS SO ORDERED. Further CMC reset for 1/18/18 at 10:30 a.m.

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12 Dated: 11/17, 2017

13 The Honorable Edward M. Chen  
United States District Judge



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