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14 Attorneys for Defendant
 U.S. AVIATION SERVICES CORP.

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

19 JAMES HARALSON, on behalf of himself and
 others similarly situated,

20 Plaintiff,

21 v.

22 U.S. AVIATION SERVICES CORP., a Nevada
 23 corporation; UNITED AIRLINES, INC., a
 Delaware corporation; and DOES 1-50,
 24 inclusive,

25 Defendants.

Case No. 3:16-cv-05207

**STIPULATION REGARDING CASE
 MANAGEMENT DATES AND
 DEADLINES; ~~PROPOSED~~ ORDER**

1 Plaintiff James Haralson (“Plaintiff”) and Defendant U.S. Aviation Services Corp. (“U.S.
2 Aviation”) (“collectively the Parties”) submit the following stipulation to continue the mediation
3 completion date and certification briefing schedule based upon the following facts:

- 4 1. On August 9, 2016, Plaintiff filed the original Complaint in this matter in the
5 Superior Court of California, County of Alameda. Plaintiff filed a First Amended
6 Complaint (“FAC”) on September 8, 2016. U.S. Aviation and Defendant United
7 Airlines, Inc. (“United”) removed the FAC to this Court on September 8 and 9,
8 2016 respectively.
- 9 2. After the Court ruled on United’s motion to dismiss, Plaintiff filed a Third
10 Amended Complaint (“TAC”) on January 20, 2017. U.S. Aviation answered
11 Plaintiff’s TAC on February 3, 2017.
- 12 3. On February 22, 2017, the Court issued a Scheduling Order. (Dkt. No. 37.) In
13 that Scheduling Order, the Court set October 2, 2017 as the date by which Plaintiff
14 must file his Motion for Class Certification.
- 15 4. October 2, 2017, is also the current deadline by which the Parties are required to
16 have completed private mediation in this matter.
- 17 5. On April 7, 2017, the Parties informed the Court of the discovery dispute
18 concerning whether U.S. Aviation was required to produce contact information for
19 putative class members. The Court ordered Plaintiff and U.S. Aviation to submit a
20 Joint Letter Brief regarding this issue. (Dkt. No. 43.) On April 28, 2017, Plaintiff
21 and U.S. Aviation filed a Joint Letter Brief informing the Court that they agreed to
22 submit a stipulation ordering U.S. Aviation to produce the contact information.
23 (Dkt. No. 45.) Plaintiff and U.S. Aviation also agreed that a *Belaire* notice was
24 not required. On June 15, 2017, Plaintiff and U.S. Aviation filed a Joint
25 Stipulation. (Dkt. No. 46.) The Court entered the Order on the Stipulation on June
26 20, 2017. (Dkt. No. 47.) U.S. Aviation has substantially complied with the Order,
27 and is in the process of reviewing the contact information provided to confirm that
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1 some potentially inadvertently omitted putative class members are included in a
2 subsequent data production.

3 6. The Parties along with United conferred multiple times in June, July and August
4 about possible mediators and mediation dates. The Parties were initially interested
5 in utilizing Mark Rudy, a mediator with substantial expertise mediating wage and
6 hour class action cases and a mediator whom the Parties have previously used to
7 successfully resolve an unrelated matter. However, due to limited available days
8 for Mr. Rudy's services and hesitation from United in utilizing Mr. Rudy, the
9 Parties and United discussed other candidates to mediate this matter. A second
10 experienced mediator, Michael Dickstein, was then agreed upon by the Parties.
11 However, Mr. Dickstein's availability, while better than Mr. Rudy's, was also
12 limited. After exchanging date options for a mediation with Mr. Dickstein, the
13 available options could not be made to work due to multiple scheduling conflicts
14 involving the Parties, United and their counsel.

15 7. While attempting to agree to a mediation date the parties also negotiated over the
16 possible dismissal of United from the action. A stipulated request for dismissal of
17 United was filed on September 5, 2017. (Dkt. No. 50.) On September 7, 2017, the
18 Court entered its order dismissing United without prejudice. (Dkt. No. 51.)

19 8. With United's resistance to utilizing Mr. Rudy's mediation services no longer
20 being an issue, Plaintiff and U.S. Aviation agreed to again contact Mr. Rudy. The
21 Parties found that Mr. Rudy has no mediation dates available in the months of
22 September, October, November and December. February 7, 2018 was the earliest
23 mutually agreeable date the Parties could reserve for a mediation. On September
24 8, 2017, the Parties received confirmation that Mr. Rudy had reserved February 7,
25 2018 to mediate their dispute.

26 9. Based upon the above referenced scheduling issues, the Parties conferred and
27 agreed that a continuance of the class certification briefing schedule and mediation
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1 deadline is appropriate in order to provide the Parties with sufficient time to
2 schedule and complete a mediation and depositions while also saving resources in
3 the event the Parties successfully reach a settlement in the matter. Taking into
4 consideration the holidays and previously set schedule, the Parties, through this
5 Stipulation, request that the mediation deadline be extended to February 7, 2018
6 and certification briefing dates be respectively continued appropriately.

7 10. The Parties are continuing to pursue discovery in this matter, including the
8 depositions of the respective Parties (or designated representatives thereof).
9 Plaintiff's deposition will be scheduled for sometime in October. Depositions of
10 Defendants will be scheduled for November or December. This Stipulation is not
11 offered for any dilatory purpose and is intended only to (1) limit the expenditure of
12 time and resources in an inefficient manner, and (2) accommodate the schedules of
13 the Parties, their counsel, and third parties.

14 11. In view of the foregoing, the Parties hereby stipulate and agree as follows:

- 15 1. The mediation completion deadline, which is current set for October 2,
16 2017, is continued to March 5, 2018.
- 17 2. The class certification motion filing deadline, which is current set for
18 October 2, 2017, is continued to March 5, 2018.
- 19 3. The class certification opposition brief filing deadline, which is current set
20 for December 1, 2017, is continued to May 4, 2018.
- 21 4. The class certification reply brief filing deadline, which is current set for
22 February 2, 2018, is continued to June 29, 2018.

23 **IT IS SO STIPULATED.**

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Dated: September 11, 2017

SETAREH LAW GROUP

By: /s/ H. Scott Leviant

Shaun Setareh
Thomas Segal
H. Scott Leviant

Attorneys for Plaintiff
JAMES HARALSON

Dated: September 11, 2017

VEDDER PRICE (CA), LLP

By: /s/ Christopher A. Braham

Brendan Dolan
Christopher A. Braham

Attorneys for Defendant
U.S. AVIATION SERVICES, CORP.

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

I, Christopher A. Braham, attest that concurrence in the filing of this stipulation has been obtained from all signatories.

Executed this 11th day of September 2017, in Los Angeles, California.

/s/ Christopher A. Braham

Christopher A. Braham

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~~PROPOSED~~ ORDER

Having received and reviewed the Parties' Stipulation to continue the mediation completion date and certification briefing schedule, IT IS HEREBY ORDERED THAT:

1. The mediation completion deadline, which is current set for October 2, 2017, is continued to March 5, 2018.
2. The class certification motion filing deadline, which is current set for October 2, 2017, is continued to March 5, 2018.
3. The class certification opposition brief filing deadline, which is current set for December 1, 2017, is continued to May 4, 2018.
4. The class certification reply brief filing deadline, which is current set for February 2, 2018, is continued to June 29, 2018.

IT IS SO ORDERED.

Dated: September 12, 2017



THE HONORABLE S. TIGAR