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9 UBER TECHNOLOGIES, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12

13 JULIAN METTER, individually and on behalf
of a class of similarly situated individuals,

14 Plaintiff,

15 v.

16 UBER TECHNOLOGIES, INC.,

17 Defendant.
18

Case No. 3:16-cv-06652-RS

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND TIME TO
RESPOND TO COMPLAINT AND
BRIEFING SCHEDULE**

Judge: Richard Seeborg

Action Filed: November 16, 2016
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STIPULATION

Pursuant to Northern District of California Local Rule 6-1 and 6-2, Plaintiff Julian Metter (“Plaintiff”) and Defendant Uber Technologies, Inc. (“Uber”), by and through their undersigned counsel, stipulate as follows:

WHEREAS, Plaintiff filed the Complaint in this action on November 16, 2016, and served Uber with the Complaint on or about November 17, 2016;

WHEREAS, the parties previously stipulated to extend the deadline for Defendant to respond to the Complaint, resulting in an extension up to and including January 9, 2017, and set the following briefing schedule (ECF No. 9):

- Plaintiff’s opposition to Uber’s responsive motion is due on or before February 1, 2017; and
- Uber’s reply in support of its motion is due on or before February 15, 2017;

WHEREAS, Defendant filed an unopposed motion to relate in *Cordas v. Uber Technologies, Inc.*, No. 4:16-cv-04065-RS (N.D. Cal. filed July 20, 2016) (“*Cordas*”), which was granted on December 16, 2016. Because the cases were related, Defendant intended to file a motion to stay this case pending resolution of *Cordas* in response to the Complaint, on January 9, 2017;

WHEREAS, on January 5, 2017, this Court heard Uber Technologies, Inc.’s Motion to Compel Arbitration and Dismiss or Stay Litigation in *Cordas*. Later that day, this Court granted Uber’s motion, and stayed the case pending completion of the arbitration;

WHEREAS, now that the Court has granted Uber’s motion to compel arbitration in *Cordas*, Defendant’s intended motion to stay pending resolution of *Cordas* is moot;

WHEREAS, Uber now plans to file a motion to compel arbitration in this case. Without an extension of time to file the motion to compel arbitration, there is insufficient time to prepare a motion to compel arbitration in the time remaining before Uber’s response is due;

WHEREAS, Plaintiff has agreed to extend Defendant’s deadline to respond to the Complaint up to and including January 17, 2017;

1 WHEREAS, the parties have agreed to the following briefing schedule:

- 2 • Plaintiff's opposition to Uber's responsive motion is due on or before February 14,
3 2017;
4 • Uber's reply in support of its motion is due on or before February 28, 2017.

5 THEREFORE, IT IS AGREED AND STIPULATED that Uber's deadline to answer or
6 otherwise respond to Plaintiff's Complaint is extended up to and including January 16, 2017;
7 Plaintiff's opposition to any responsive motion filed by Uber is extended up to and including
8 February 14, 2017, and Uber's reply in support of its motion is extended up to and including
9 February 28, 2017.

10 Dated: January 6, 2017

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16 By: /s/ William L. Stern
17 WILLIAM L. STERN

18 Attorneys for Defendant
19 UBER TECHNOLOGIES, INC.

20 Dated: January 6, 2017

21 LEE A. CIRSCH
22 ROBERT K. FRIEDL
23 TRISHA K. MONESI
24 FRANCIS J. FLYNN, JR.

25 By: /s/ Lee A. Cirsch
26 LEE A. CIRSCH

27 Attorneys for Plaintiff
28 JULIAN METTER

29 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

30 Date: 1/9/17

31 
32 Hon. Richard Seeborg