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 11 Julian Metter

12 *[Additional counsel listed on next page]*

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15

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

18 Plaintiff,

19 v.

20 UBER TECHNOLOGIES, INC.,

21 Defendant.

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

**ORDER
 STIPULATION TO CONTINUE APRIL
 11, 2018, BENCH TRIAL AND ALL
 RELATED DEADLINES**

Date: April 11, 2018
 Time: 9:30 a.m.

Judge: Hon. Richard Seeborg
 Action Filed: November 16, 2016

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Attorneys for Defendant
UBER TECHNOLOGIES, INC.

1 Pursuant to Northern District of California Local Rules 7-1, 7-12 and 40-1, Plaintiff Julian
2 Metter (“Plaintiff”) and Defendant Uber Technologies, Inc. (“Defendant”) (collectively referred
3 to as the “Parties”), by and through their undersigned counsel of record, hereby stipulate as
4 follows:

5 **RECITALS**

6 **WHEREAS** on October 11, 2017, the Ninth Circuit granted Uber’s motion for a stay of
7 its appeal and for a limited remand for this Court to conduct a mini-trial;

8 **WHEREAS** on October 26, 2017, the Court set a bench trial on January 10, 2018 at 9:30
9 a.m. before the Honorable Richard Seeborg;

10 **WHEREAS** on December 28, 2017, Plaintiff’s counsel learned that Plaintiff was recently
11 diagnosed with lymphatic cancer that spread from an earlier diagnosis of bladder cancer.

12 **WHEREAS**, Plaintiff underwent surgery on January 2, 2018, as part of his treatment and,
13 as such, the Parties agreed to a short continuance to April 11, 2018, of the bench trial on the
14 limited issue of contract formation of the arbitration agreement, and all corresponding pre-trial
15 dates, to allow time for Plaintiff’s recovery from surgery.

16 **WHEREAS**, Plaintiff continues to undergo treatment for his cancer that severely limits
17 his ability to travel and appear for the aforementioned bench trial on April 11, 2018.

18 **WHEREAS**, the Parties agree that a further continuance of the bench trial is necessary to
19 allow Plaintiff adequate time to complete and recover from his cancer treatments.

20 **THEREFORE**, the Parties agree and request that:

21 (1) The trial of this action be continued to October 17, 2018, or as soon thereafter as
22 the Court’s calendar permits; and

23 (2) All pre-trial deadlines shall be extended and will run in accordance with the
24 continued trial date.

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Dated: April 10, 2018

BEVIN ALLEN PIKE
ROBERT K. FRIEDL
TRISHA K. MONESI
FRANCIS J. FLYNN, JR.

By: /s/ Bevin Allen Pike

BEVIN ALLEN PIKE
ATTORNEYS FOR PLAINTIFF
JULIAN METTER

Dated: April 10, 2018

WILLIAM L. STERN
TIFFANY CHEUNG
CLAUDIA M. VETESI
LUCIA X. ROIBAL
MORRISON & FOERSTER LLP

By: /s/ William L. Stern

WILLIAM L. STERN

Attorneys for Defendant
UBER TECHNOLOGIES, INC.

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PURSUANT TO STIPULATION, IT IS SO ORDERED:

The bench trial previously set for April 11, 2018, is hereby continued to
October 26, 2018, at 9:30 a.m./~~P.M.~~ before the Honorable Richard Seeborg. All
pre-trial deadlines shall be extended and will run in accordance with the continued trial date.

Date: 4/10/18



Hon. Richard Seeborg