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 11 UTILITIES EXCHANGE, INC.

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**

15 PIERS BLEWITT, on behalf of himself and
 16 all others similarly situated,
 17 Plaintiff,
 18 v.
 19 NATIONAL CONSUMER TELECOM &
 20 UTILITIES EXCHANGE, INC.,
 21 Defendant.

Case No. 3:17-cv-1275-WHO

**JOINT STIPULATION AND
 ORDER CONTINUING
 THE HEARING DATE ON NCTUE'S
 MOTION FOR SUMMARY JUDGMENT**

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JOINT STIPULATION AND ~~PROPOSED~~ ORDER

Through their respective counsel, and pursuant to Local Rules 6-2 and 7-12, Plaintiff Piers Blewett and Defendant National Consumer Telecom & Utilities Exchange, Inc. (“NCTUE”) submit this stipulated request for an order changing time.

WHEREAS, the Court previously ordered that any motions for summary judgment be heard on November 14, 2018 at 2:00 PM;

WHEREAS, NCTUE filed a Motion for Summary Judgment on September 19, 2018;

WHEREAS, the Plaintiff filed a brief opposing NCTUE’s Motion for Summary Judgment on October 3, 2018;

WHEREAS, the Court granted the parties’ joint request that the deadline for NCTUE to file its reply brief be extended by seven days until October 17, 2018;

WHEREAS, NCTUE filed a reply brief in support of its motion for summary judgment on October 17, 2018; and

WHEREAS, the parties are currently engaged in worthwhile settlement discussions that both parties are hopeful will bear fruit if given more time;

The parties stipulate through respective counsel, subject to the approval of the Court, that the hearing date for NCTUE’s motion for summary judgment be continued until January 23, 2019 at 2:00 PM.

With apologies to the Court for any inconvenience, the parties also respectfully request relief from the requirement in Local Rule 6-1(b) that “[a]ny stipulated request or motion which affects a hearing or proceeding on the Court’s calendar must be filed no later than 14 days before the scheduled event.”

1 Dated: November 5, 2018

Respectfully submitted,

2 KING & SPALDING LLP

3 _____
4 /s/
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21 *Attorney for Plaintiff Piers Blewett*

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

23 Dated: November 8, 2018

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25 _____
26 The Honorable William H. Orrick
27 U.S. District Court Judge, Northern District of
28 California