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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

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 Tel. 415.543.1305 | Fax 415.543.7861

10 JOSEPH SLADE, as an individual and on
 11 behalf of all others of similarly situated,
 12 **Plaintiffs,**
 13 v.
 14 LMS INTELLIBOUND, LLC; CAPSTONE
 15 LOGISTICS, LLC; and DOES 1 through 10,
 inclusive,
 16 **Defendants.**

) Case No: 18-cv-00119-JST
)
) CLASS ACTION
)
) **STIPULATION AND ~~PROPOSED~~**
) **ORDER TO CONTINUE CASE**
) **MANAGEMENT CONFERENCE AND**
) **ASSOCIATED DEADLINES;**
) **DECLARATION OF ERIC A. GROVER**
) **IN SUPPORT THEREOF**
) [Local Rule 6-2]

1 The parties, Plaintiff Joseph Slade (“Plaintiff”) and Defendants LMS Intellibound, LLC
2 and Capstone Logistics, LLC (“Defendants”), through their respective counsel, hereby stipulate
3 as follows:

4 WHEREAS, the Court has scheduled a case management conference for August 1, 2018;

5 WHEREAS, the parties are scheduled to file a joint Rule 26(f) Report and joint case
6 management statement by July 23, 2018;

7 WHEREAS, there are two other cases pending against Defendant Capstone Logistics,
8 LLC and a related company, Pinnacle Workforce Logistics, L.L.C., in state court [*Tapia v.*
9 *Capstone Logistics, LLC and Pinnacle Workforce Logistics, L.L.C.*, Santa Clara County Superior
10 Court Case No. 17cv319864 and *Gomez and Lopez v. Pinnacle Workforce Logistics, L.L.C.*, San
11 Bernardino County Superior Court Case No. CIVDS1804163].

12 WHEREAS, the parties in all three cases participated in an all-day mediation session on
13 July 13, 2018 with respected mediator Hunter R. Hughes, Esq.;

14 WHEREAS, on July 18, 2018, the parties in all three cases reached an agreement in
15 principle and are discussing the terms of a settlement; and

16 WHEREAS, the parties have met and conferred through counsel and have agreed to the
17 schedule set forth below:

18 1. The case management conference shall be continued from August 1, 2018 to
19 ~~September 19, 2018, or a date thereafter convenient to the Court.~~ October 17, 2018

20 2. The deadline for the parties to file a joint case management statement shall be
21 continued to ^{ten}~~nine~~ days before the continued date for the case management conference.

22 3. The deadline for the parties to file a joint Rule 26(f) Report and complete initial
23 disclosures is stayed pending the case management conference, wherein new deadlines shall be
24 set unless a motion for preliminary approval has been filed.

25 **IT IS SO STIPULATED.**

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Dated: July 23, 2018

KELLER GROVER LLP

By: /s/ *Eric A. Grover*
ERIC A. GROVER
Attorneys for Plaintiff

Dated: July 23, 2018

SEYFARTH SHAW LLP

By: /s/ *Eric E. Hill*
ERIC E. HILL
Attorneys for Defendants

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Attestation Pursuant to Civil Local Rule 5-1(i)

Pursuant to Civil Local Rule 5-1(i), I, Robert Spencer, hereby attest that I have obtained the concurrence in the filing of this document from the signatory to this document.

I declare under penalty of perjury under the law of the United States that the foregoing is true and correct. Executed this 23rd day of July 2018 in San Francisco, California.

/s/ Robert Spencer
Robert Spencer

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS ORDERED, that the case management conference is continued from August 1, 2018 to October 17, 2018 at 2:00 p.m. The parties shall file a joint case management statement by October 8, 2018. The parties' deadline to file a joint Rule 26(f) Report and complete initial disclosures is stayed and new deadlines shall be set at the case management conference unless a motion for preliminary approval has been filed.

Dated: July 23, 2018



HON. JON S. TIGAR
UNITED STATES DISTRICT JUDGE

DECLARATION OF ERIC A. GROVER

I, Eric A. Grover, hereby declare:

1. I am an attorney duly admitted to the practice of law in the State of California and before this Court. I am a partner in the law firm Keller Grover LLP, counsel for Plaintiff Joseph Slade in this action. I have personal knowledge of the facts stated herein and, if called as a witness, I could and would testify competently to the facts set forth below.

2. A case management conference is scheduled for August 1, 2018. The parties are scheduled to file a joint Rule 26(f) report and file a joint case management conference statement and initial disclosures by July 23, 2018.

3. There are two other cases pending against Defendant Capstone Logistics, LLC and a related company, Pinnacle Workforce Logistics, L.L.C., in state court [*Tapia v. Capstone Logistics, LLC and Pinnacle Workforce Logistics, L.L.C.*, Santa Clara County Superior Court Case No. 17cv319864 and *Gomez and Lopez v. Pinnacle Workforce Logistics, L.L.C.*, San Bernardino County Superior Court Case No. CIVDS1804163]. The parties in all three cases participated in an all-day mediation scheduled for July 13, 2018 with respected mediator Hunter R. Hughes, Esq. The parties for all three cases reached an agreement in principle and are working on a formal settlement agreement.

4. The parties met and conferred through counsel regarding continuing the case management conference and associated deadlines in light of the successful mediation and have agreed to continue the case management conference from August 1, 2018 to September 19, 2018 or a date thereafter convenient to the Court. The parties have likewise agreed to move the deadlines to file a joint case management conference statement to nine days before the new date for the case management conference. The parties have agreed that the deadline to file a joint Rule 26(f) report and complete initial disclosures should be stayed. New deadlines shall be set at the case management conference unless a motion for preliminary approval has been filed.

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I declare, under penalty of perjury, under the laws of the United States and the State of California, that the foregoing is true and correct. Executed this 23rd day of July 2018, at San Francisco, California.

/s/ Eric A. Grover

ERIC A. GROVER