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

10 ADRIANA PONCE, on behalf of herself and
 all others that are similarly situated,

11 Plaintiffs,

12 vs.

13 AMAZON.COM, INC., a Delaware
 14 Corporation; AMAZON.COM SERVICES,
 INC., a Delaware Corporation; AMAZON
 15 LOGISTICS, INC., a Delaware Corporation;
 ALAIN MONIE, a California Resident; JOHN
 16 BROWN, a California Resident; WILLIAM
 GORDON, a California Resident; and Does 1-
 17 100, inclusive,

18 Defendants.

Case No. 3:19-cv-00288-RS

**STIPULATION REQUESTING
 AMENDED BRIEFING SCHEDULE
 AND HEARING RE MOTION TO
 COMPEL ARBITRATION, MOTION
 TO DISMISS AND MOTION TO STAY
 OR DISMISS PURSUANT TO THE
 FIRST TO FILE RULE, AND TO
 CONTINUE INITIAL CASE
 MANAGEMENT CONFERENCE
 PURSUANT TO LOCAL RULE 6-2;
 ORDER AS MODIFIED BY THE
 COURT**

Hon. Richard Seeborg

Current Response Date: June 13, 2019

Action Filed: November 1, 2018

Trial Date: None Set

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 22 Plaintiff ADRIANA PONCE (“Plaintiffs”), and Defendants AMAZON.COM, INC.,
 23 AMAZON.COM SERVICES, INC., AMAZON LOGISTICS, INC., ALAIN MONIE, JOHN
 24 BROWN and WILLIAM GORDON (“Defendants”) (collectively, the “Parties”), by and through
 25 their respective counsel, hereby stipulate and agree as follows:

26 WHEREAS, Plaintiffs filed their Second Amended Complaint (“SAC”) in this action on
 27 April 18, 2019;

28 WHEREAS, Defendants filed, in response to Plaintiffs’ SAC, a Motion to Compel

1 Arbitration or, in the alternative, to stay;

2 WHEREAS, individually named Defendants ALAIN MONIE, JOHN BROWN and
3 WILLIAM GORDON filed a responsive motion that joined in Defendants’ Motion to Compel
4 Arbitration, and, alternatively sought Dismissal of the SAC for Failure to State a Claim Upon Which
5 Relief can be Granted;

6 WHEREAS, Defendants AMAZON.COM, INC., AMAZON.COM SERVICES, INC., and
7 AMAZON LOGISTICS, INC., also filed, in response to Plaintiffs’ SAC, a Motion to Stay or
8 Dismiss Pursuant to the First-to-File Rule;

9 WHEREAS, Plaintiffs need additional time to prepare responses to Defendants’ three
10 Motions;

11 WHEREAS, Defendants anticipate that they will require additional time to file replies in
12 response to Plaintiff’s Oppositions;

13 WHEREAS, Plaintiffs’ Counsel have a trial date of September 9, 2019 in San Francisco
14 Superior Court;

15 WHEREAS, the Parties had previously stipulated to an extension of time for Defendants to
16 respond to the SAC;

17 WHEREAS, on June 4, 2019, Plaintiffs requested that Defendants stipulate to an extension
18 of time for Plaintiffs’ responses to the Defendants’ motions;

19 WHEREAS, the Civil Local Rules, including Rule 6-2, permit parties to stipulate to extended
20 time for complex motions;

21 WHEREAS, the Initial Case Management Conference is currently scheduled for August 22,
22 2019 at 10:00 a.m., and the Parties’ joint case management conference statement is currently due
23 one week before on August 15, 2019;

24 WHEREAS, the Parties believe that it will be more productive to conduct an Initial Case
25 Management Conference after the Court hears and rules on the pending Motions which may narrow
26 issues to be addressed at the Initial Case Management Conference;

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ORDER

PURSUANT TO STIPULATION:

1. Plaintiffs shall file their oppositions to Defendants’ Motion to Compel Arbitration or, in the Alternative, to Stay; Motion to Compel Arbitration, or in the Alternative, Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted; and Motion to Stay or Dismiss Pursuant to the First-to File Rule (collectively, “the Motions”) on or before July 18, 2019;
2. Defendants shall file their corresponding replies in support of the Motions on or before August 15, 2019;
3. The hearing on the Motions is continued until September 5, 2019 at 1:30 ~~XX~~/p.m.; and
4. The Initial Case Management Conference is continued until after the Court has heard and ruled on the motions before it.

IT IS SO ORDERED.

Dated: June 10, 2019



The Honorable Richard Seeborg