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11 Attorneys for Defendant Postmates Inc.

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 EDMOND MESACHI,  
15 Plaintiff,  
16 v.  
17 POSTMATES INC.,  
18 Defendant.

19 Case No. 3:20-CV-07028-WHO

20 **JOINT STIPULATED REQUEST FOR**  
21 **ORDER EXTENDING BRIEFING**  
22 **SCHEDULE AND CONTINUING HEARING**  
23 **ON DEFENDANT'S MOTION TO COMPEL**  
24 **ARBITRATION AND STAY CIVIL**  
25 **PROCEEDINGS**

26 Honorable William H. Orrick

27 Action Filed: October 8, 2020

## **STIPULATION**

Under Civil Local Rule 6-2, plaintiff Edmond Mesachi and defendant Postmates Inc. stipulate and agree as follows:

WHEREAS, Mesachi filed his Complaint against Postmates on October 8, 2020 (Dkt. 1);

WHEREAS, Postmates filed its Motion to Compel Arbitration and Stay Civil Proceedings (“Motion”) on November 4, 2020 (Dkt. 9);

WHEREAS, pursuant to Local Rule 7-3, Mesachi's Opposition to the Motion is due November 18, 2020, and Postmates' Reply is due November 25, 2020;

WHEREAS, the hearing on the Motion is currently scheduled for December 9, 2020;

WHEREAS, Mesachi's counsel, a solo practitioner, requires a small amount of extra time to prepare Mesachi's Opposition to the Motion due to the Thanksgiving holiday, the press of other business, and the fact that his wife is now in the late stages of a medically complicated pregnancy;

WHEREAS, Postmates has no objection to extending the briefing schedule; and,

WHEREAS, there have been no prior extensions of time in this case;

NOW THEREFORE, the parties request that the Court order that Mesachi's Opposition be due on November 30, 2020; that Postmates' Reply be due on December 11, 2020; and that the hearing on Postmates' Motion be continued from December 9, 2020 to December 16, 2020 or such other time as gives the Court the necessary time to review the papers.

## IT IS SO STIPULATED.

1 Dated: November 16, 2020

GIBSON, DUNN & CRUTCHER LLP

3 By: /s/ Dhananjay Manthripragada  
4 Dhananjay Manthripragada

5 Attorneys for Defendant Postmates Inc.

6 Dated: November 16, 2020

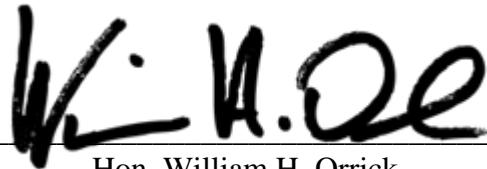
7 LAW OFFICE OF THOMAS R. KAYES, LLC

8 By: /s/ Thomas Kayes  
9 Thomas Kayes

10 Attorney for Plaintiff Edmond Mesachi

11 **PURSUANT TO STIPULATION, as modified, IT IS SO ORDERED: the hearing on the**  
12 **motion is set for January 6, 2021 at 2 p.m.**

13 Dated: November 17, 2020



14 Hon. William H. Orrick

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## **ECF ATTESTATION**

I, Thomas Kayes, hereby attest that concurrence in the filing of this document has been obtained from Dhananjay Manthripragada, and that this document was served by electronic filing on November 16, 2020, on all counsel of record.

DATED: November 16, 2020

By: /s/ Thomas Kayes  
Thomas Kayes

## **DECLARATION**

I, Thomas Kayes, declare as follows:

1. I am over 18 years old.
2. I have personal knowledge of all facts in this declaration.
3. I am plaintiff Edmond Mesachi's lawyer.
4. I have reviewed the facts stated in the concurrently filed stipulation.
5. I have personal knowledge of those facts.
6. Those facts are true.

I declare that these facts are true under penalty of perjury under the law of the United States.

Date: November 16, 2020.

/s/ Thomas R. Kayes