

1 PETER M. HART (STATE BAR NO. 198691)  
 hartpeter@msn.com  
 2 KIMBERLY WESTMORELAND (SBN 237919)  
 kwestmoreland.loph@gmail.com  
 3 LAW OFFICES OF PETER M. HART  
 13952 Bora Bora Way, F-320  
 4 Marina Del Rey, California 90292  
 Telephone: (310) 478-5789  
 5 Facsimile: (509) 561-6441

6 ERIC HONIG (STATE BAR NO. 140765)  
 erichonig@aol.com  
 7 LAW OFFICE OF ERIC HONIG  
 P.O. Box 10327  
 8 Marina Del Rey, California 90295  
 Telephone: (310)314-2603  
 9 Facsimile: (310)314-2793

10 Attorneys for Plaintiff Lisa Braboy  
 \*Additional counsel listed on the next page

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

13 LISA BRABOY, as an individual and on behalf  
 14 of all others similarly situated,  
 15 **Plaintiff,**  
 16 **v.**  
 17 STAPLES, INC., a corporation, and DOES 1  
 18 through 50, inclusive,  
 19 **Defendants.**

Case No. C09-4534 PJH (BZ)

**JOINT STIPULATION RE: PROPOSED  
 BRIEFING SCHEDULE FOR MOTION TO  
 RESOLVE "EMPLOYER" ISSUE**

Action Filed: November 25, 2008  
 Action Removed: August 29, 2009

20  
21  
22  
23  
24  
25  
26  
27  
28

1 KENNETH H. YOON (STATE BAR NO. 198443)  
kyoon@yoon-law.com  
2 LINDA WHITEHEAD (STATE BAR NO. 222799)  
lwhitehead@yoon-law.com  
3 LAW OFFICES OF KENNETH H. YOON  
One Wilshire Boulevard, Suite 2200  
4 Los Angeles, California 90017  
Telephone: (213)612-0988  
5 Facsimile: (213)947-1211

6 LARRY W. LEE (STATE BAR NO. 228175)  
lwlee@diversity-law.com  
7 DIVERSITY LAW GROUP, A Professional Corporation  
444 S. Flower Street, Suite 1370  
8 Los Angeles, California 90071  
Telephone: (213) 488-6555  
9 Facsimile: (213) 488-6554

10 \*Additional Attorneys for Plaintiff Lisa Braboy

11  
12 ROD M. FLIEGEL, Bar No. 168289  
E-mail: rfliegel@littler.com  
ANGELA J. RAFOTH, Bar No. 241966  
13 E-mail: arafoth@littler.com  
LITTLER MENDELSON  
14 A Professional Corporation  
650 California Street, 20th Floor  
15 San Francisco, CA 94108.2693  
Telephone: 415.433.1940  
16 Fax No.: 415.399.8490

17 ELIZABETH STAGGS WILSON, Bar No. 183160  
E-mail: estaggs-wilson@littler.com  
18 RYAN P. ESKIN, Bar No. 205413  
E-mail: reskin@littler.com  
19 LITTLER MENDELSON  
A Professional Corporation  
20 2049 Century Park East  
5th Floor  
21 Los Angeles, CA 90067.3107  
Telephone: 310.553.0308  
22 Facsimile: 310.553.5583

23 Attorneys for Defendants  
STAPLES, INC. and STAPLES CONTRACT AND COMMERCIAL, INC.  
24  
25  
26  
27  
28

1 In accordance with the Court's July 15, 2010 Order Re Joint Case Management Report,  
2 the parties hereby submit their stipulated proposed briefing schedule in connection with a motion to  
3 resolve the issue of who, in fact, was Plaintiff Lisa Braboy's employer.

4 WHEREAS, the parties jointly suggested October 29, 2010 as the deadline for the  
5 parties to file a motion(s) for summary adjudication by Plaintiff or Defendants on the Staples, Inc.  
6 employer threshold issue and the parties, hereby, jointly stipulate to this date for Plaintiff or Defendant  
7 to file a motion(s) for summary adjudication on the Staples, Inc. employer threshold issue;

8 The parties further stipulate to November 22, 2010 as the date for oppositions to the  
9 motion(s) for summary adjudication to be filed by;

10 The parties further stipulate to November 29, 2010 as the date for any reply memoranda  
11 to the motion(s) for summary adjudication to be filed by;

12 The parties stipulate to allow the Court to set the date for the hearing on the motion(s)  
13 for summary adjudication on a date convenient to the Court.

14  
15 DATED: July 30, 2010

LAW OFFICES OF PETER M. HART

16  
17 By: \_\_\_\_\_ /s/

Peter M. Hart  
Attorney for Plaintiff, LISA BRABOY

18  
19 DATED: July 30, 2010

LITTLER MENDELSON, A Professional Corporation

20  
21 By: \_\_\_\_\_ /s/

Rod M. Fliegel  
Ryan P. Eskin  
Attorneys for Defendants, STAPLES, INC. and  
STAPLES CONTRACT AND COMMERCIAL, INC.

22  
23  
24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25  
26 October 29, 2010 is the deadline for the filing of motion(s) by Plaintiff or Defendants  
27 for summary adjudication on the Staples, Inc. employer threshold issue;

1 November 22, 2010 is the date for opposition(s) to the motion(s) for summary  
2 adjudication to be filed by;

3 November 29, 2010 is the date for any reply memoranda to the motion(s) for summary  
4 adjudication to be filed by;

5 The date for the hearing on the motion(s) for summary adjudication on the issue of  
6 Staples, Inc. employer threshold issue is December 15, 2010.

7  
8 DATED: 8/4/10

9 THE HON. PHYLLIS J. HAMILTON  
10 United States District Judge



11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28