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|---|
| Attorneys for Plaintiffs JESSE HELTON, ALISHA PICCIRILLO, CHAD LOWE, individually and on behalf of all others similarly situated |
| Malcolm Leader-Picone BARTLETT, LEADER-PICONE & YOUNG LLP 2201 Broadway, Suite 803 Oakland, CA 94612 Telephone: (510) 444-2404 Facsimile: (510) 444, 1291 |

Attorneys for Defendants JULIAN EGGEBRECHT, HOLGER SCHMIDT and THOMAS ENGEL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JESSE HELTON; ALISHA PICCIRILLO; CHAD LOWE; individually and on behalf of all others similarly situated,

Plaintiffs,

V.

FACTOR 5, INC.; FACTOR 5, LLC; BLUHARVEST, LLC; WHITEHARVEST, LLC; JULIAN EGGEBRECHT; HOLGER SCHMIDT; THOMAS ENGEL; and DOES 1-100,

Defendants.

Case No. 4:10-cv-4927 SBA

STIPULATION AND ORDER FOR SLIGHLY MODIFIED SCHEDULING RELATED TO PENDING MOTIONS

Plaintiffs Jesse Helton, Alisha Piccirillo, and Chad Lowe ("Plaintiffs") and Defendants WhiteHarvest, LLC, Julian Eggebrecht, Holger Schmidt, and Thomas Engel (collectively

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"Defendants") hereby jointly apply, by way of stipulation, for an Order concerning a briefing schedule for (1) Defendants' Motion for Summary Adjudication and related scheduling issues, and (2) Plaintiffs' Motion for Collective Certification.

It is hereby stipulated and agreed by and between the parties, through their respective attorneys of record, to make the following slight modification to the Court's previous scheduling Order as follows:

- Current deadlines for Defendants' Motion for Summary Adjudication are 1. vacated.
- 2. Opposition to Defendants' Motion for Summary Adjudication shall be filed and served no later than February 3, 2012.
- 3. Defendants' Reply in support of the Motion for Summary Adjudication shall be filed and served no later than February 16, 2012.
- 4. Defendants' Opposition to Plaintiffs' Motion for Conditional Collective FLSA Certification shall be filed no later than February 2, 2012.
- 5. Plaintiffs' Reply in support of the Motion for Conditional Collective FLSA Certification shall be filed no later than February 16, 2012.

The parties to this stipulation believe that good cause exists and agree to this briefing schedule.

IT IS SO STIPULATED:

Dated: February 15, 2012 SMITH LILLIS PITHA LLP

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| | 3 | Dated: February 15, 2012 | BARTLETT, LEADER-PICONE & YOUNG |
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| | 8 8 | Dated: February 15, 2012 | LAW OFFICES OF KEITH MCALLISTER |
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| 400 Montgomery Street, Suite 501 • San Francisco, CA 94104 • 415-814-0405 (t) 415-217-7011 (f) | √os 14 | IT IS SO ORDERED | |
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| | Sanite 37 | Dated: February 15, 2012 | Sandre B. Ormstag |
| | Street, 18 | | SAUNDRA BROWN ARMSTRONG UNITED STATES DISTRICT JUDGE |
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