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 15 *Cellco Partnership d/b/a Verizon Wireless*

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 OAKLAND DIVISION

19 ANTHONY HENSON and WILLIAM
 20 CINTRON,

21 Plaintiffs,

22 vs.

23 TURN INC.,

24 Defendant.

CASE NO.: 4:15-cv-01497-JSW

**STIPULATION AND ~~PROPOSED~~
 ORDER RESCHEDULING MOTION
 DATE FOR PENDING MOTIONS**

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 28 STIPULATION AND ~~PROPOSED~~ ORDER RESCHEDULING MOTION DATE; CASE NO.:
 4:15-cv-01497-JSW

1 WHEREAS, on April 1, 2015, Plaintiffs filed in this Court a Class Action Complaint (the
2 “Complaint”) in the above-captioned action;

3 WHEREAS, on April 21, 2015, this Court entered a Stipulated Order, stipulated by and
4 between Plaintiffs and Defendant Turn Inc. (“Turn”), setting an Initial Case Management
5 Conference (“CMC”) for July 24, 2015 at 9:30 AM, and providing that, in the event Turn filed a
6 motion for relief instead of an answer to the Complaint, a hearing would be set on July 24, 2015
7 at 9:30 AM;

8 WHEREAS, on May 15, 2015, Turn filed a Motion to Dismiss (or in the Alternative to
9 Stay) this Action to Compel Arbitration (“Motion to Dismiss”);

10 WHEREAS, on May 22, 2015, Cellco Partnership d/b/a Verizon Wireless (“Verizon”)
11 filed a Motion for Leave to File a Brief as *Amicus Curiae* in Support of Turn’s Motion to Dismiss
12 (“Motion for Leave,” and collectively with the Motion to Dismiss, the “Pending Motions”);

13 WHEREAS, on May 26, 2015, this Court set a hearing date on the Motion for Leave for
14 July 24, 2015 at 9:00 AM;

15 WHEREAS, lead counsel for Verizon has a scheduling conflict with the July 24, 2015
16 hearing date due to a pre-existing family commitment that requires him to be in Portland, Maine
17 from July 24 through July 27, 2015;

18 WHEREAS, counsel for Verizon has conferred with Plaintiffs and Turn and all parties
19 have agreed, subject to the Court’s schedule and approval, to reschedule the CMC and the hearing
20 date for the Pending Motions on August 21, 2015, which is the next date on which lead counsel
21 for Plaintiffs, Turn, and Verizon are all available; and

22 WHEREAS, there have been no other requested time modifications in this action, either
23 by stipulation or motion, and this stipulated request would have no effect on other scheduled
24 dates.

25 IT IS THEREFORE STIPULATED AND AGREED, by and between Verizon, Plaintiffs,
26 and Turn, acting through their respective counsel, subject to this Court’s schedule and approval,
27 that the CMC shall be rescheduled for August 21, 2015, at 11 a.m., and the motion date for the

28 STIPULATION AND ~~PROPOSED~~ ORDER RESCHEDULING MOTION DATE; CASE NO.:
4:15-cv-01497-JSW

1 Pending Motions shall be rescheduled for the Court's Civil Law and Motion Calendar on August
2 21, 2015, at 9 a.m., with the order of call to be determined by the Court.

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4 Dated: June 5, 2015

Respectfully submitted,

5 By: /s/ Scott H. Angstreich

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Counsel for Amicus Curiae
Cellco Partnership d/b/a Verizon Wireless

1 Dated: June 5, 2015

By: /s/ Michael H. Rubin

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10 Dated: June 5, 2015

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Counsel for Plaintiffs

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ORDER

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Pursuant to Stipulation, it is so ORDERED.

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22 DATED: June 5, 2015



Hon. Jeffrey S. White
United States District Judge

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