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4 OPEN DOOR MARKETING, LLC
5 LARRY DALE CLARK
6 JERRIMY FARRIS

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

9 SHIKWANA JENNINGS AND LISA
10 DRAKE,

11 Plaintiffs,

12 v.

13 2020 COMPANIES, INC., OPEN
14 DOOR MARKETING, LLC,
15 JERRIMY FARRIS, AND LARRY
16 CLARK,

17 Defendants.

Case No. 15-cv-04080-KAW

**JOINT STIPULATION OF THE PARTIES
AND PROPOSED ORDER REGARDING
STAY OF PLAINTIFFS' MOTION FOR
EQUITABLE TOLLING OF THE STATUTE
OF LIMITATIONS FOR FLSA CLAIMS OF
EXPANDED COLLECTIVE OPT-IN
PLAINTIFFS**

Complaint Filed: September 8, 2015
Trial Date: None
Magistrate Judge: Hon. Kandis A. Westmore

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20 Plaintiffs Shikwana Jennings and Lisa Drake, Defendant 2020 Communications, Inc.
21 (“2020”), Open Door Marketing, LLC, Jerrimy Farris and Larry Clark, by and through their
22 respective counsel, hereby agree and stipulate as follows:

- 23 1) As reflected in this Court’s Order Staying Motion to Compel; Granting Motion to Join
24 (Dkt. No. 235), on November 8, 2017, this Court stayed this case with respect to any
25 “opt-in Plaintiffs who have signed an arbitration agreement, and would be subject to a
26 motion to compel arbitration.”
27
28 2) Plaintiffs’ Motion For Equitable Tolling of the Statute of Limitations For FLSA Claims

1 Of Expanded Collective Opt-In Plaintiffs (Dkt. No. 233) likely seeks relief only on
2 behalf of individuals whom defendants have identified as having signed an arbitration
3 agreement and who would be subject to a motion to compel arbitration.

- 4
- 5 3) As such, the parties acknowledge that it would be most efficient to stay Plaintiffs’
6 Motion For Equitable Tolling of the Statute of Limitations For FLSA Claims Of
7 Expanded Collective Opt-In Plaintiffs (Dkt. No. 233) in light of this Court’s Order
8 Staying Motion to Compel; Granting Motion to Join (Dkt. No. 235).
- 9 4) Accordingly, the parties agree and stipulate that Plaintiffs’ Motion For Equitable
10 Tolling of the Statute of Limitations For FLSA Claims Of Expanded Collective Opt-In
11 Plaintiffs (Dkt. No. 233) should not be heard on December 7, 2017, and that an
12 appropriate briefing and hearing schedule relating to the Motion should be determined
13 after the Court lifts the stay.
- 14 5) Within seven (7) days following this Court’s lifting of the stay of this case with respect
15 to opt-in Plaintiffs who have signed arbitration agreements, the parties will submit to
16 the Court a briefing and hearing schedule concerning Plaintiffs’ Motion For Equitable
17 Tolling of the Statute of Limitations For FLSA Claims Of Expanded Collective Opt-In
18 Plaintiffs (Dkt. No. 233).

19 IT IS SO STIPULATED.
20

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23 DATED: November 14, 2017

LICHTEN & LISS-RIORDAN.

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25 By: /s/ Harold L. Lichten w/permission
26 Harold L. Lichten

27 Attorneys for Plaintiffs
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DATED: November 14, 2017

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Wendy V. Miller
Wendy V. Miller

Attorneys for Defendant
20/20 COMMUNICATIONS, INC.
(erroneously sued as 2020 Companies LLC)

DATED: November 14, 2017

LEHR MIDDLEBROOKS VREELAND AND
THOMPSON, P.C.

By: /s/ Michael L. Thompson
Michael L. Thompson

Attorneys for Defendants
OPEN DOOR MARKETING, LLC
LARRY DALE CLARK
JERRIMY FARRIS

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 11/15/17


United States Magistrate Judge

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