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17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 J. JASON REYNOLDS,
 20
 21 Plaintiff, on behalf of himself and all
 22 others similarly situated,
 23
 24 v.
 25
 26 DIRECT FLOW MEDICAL, INC; DAN
 27 LEMAITRE; JOHN DAVID BOYLE;
 28 GORDON BISHOP; PAUL LAVIOLETTE;
 and YUVAL BINUR,
 Defendants.

Case No. 4:17-cv-00204-KAW

Hon. Kandis A. Westmore

JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND CASE MANAGEMENT
SCHEDULE AND CONFERENCE

1 Pursuant to Federal Rule of Civil Procedure Rule 16(b)(4) and Local Rules 7, 7-12 and 16-2(d),
2 Plaintiff J. Jason Reynolds and Defendants Direct Flow Medical, Inc. (“DFM”), Dan Lemaitre, John
3 David Boyle, Gordon Bishop, Paul LaViolette, and Yuval Binur hereby stipulate and agree as follows:

4 WHEREAS, the parties scheduled a mediation before mediator Cynthia Remmers for January
5 29, 2018;

6 WHEREAS, after all parties had submitted briefs in advance of the mediation, Defendants asked
7 to postpone the date of the mediation due to a recent change in counsel of one of their insurers;

8 WHEREAS, Plaintiff agreed to this postponement;

9 WHEREAS, the rescheduled mediation will take place on March 29, 2018;

10 WHEREAS, Plaintiff may amend the complaint to add two additional potential defendants,
11 depending in part on the outcome of the mediation;

12 WHEREAS, the mediation will now take place several weeks after the currently scheduled
13 March 6, 2018 case management conference; and

14 WHEREAS, the parties need additional time to conduct discovery prior to Plaintiff’s motion for
15 class certification.

16 NOW, THEREFORE, the parties hereby stipulate and agree, subject to the Court’s approval:

- 17 1. The deadline for filing any amended complaint in this action shall be extended to April
18 3, 2018;
- 19 2. The deadline for Plaintiff to file for class certification shall be extended to June 25,
20 2018;
- 21 3. The deadline for Defendants to oppose class certification shall be extended to August 13,
22 2018;
- 23 4. The deadline for Plaintiff’s class certification reply shall be extended to September 12,
24 2018;
- 25 5. The class certification motion shall be heard on November 1, 2018 at 1:30 p.m.; and
- 26 6. The further case management conference currently scheduled for March 6, 2018 shall be
27 continued to April 10, 2018 at 1:30 pm, with a joint case management conference
28 statement due on April 3, 2018.

1 A Proposed Order accompanies this stipulation.

2
3 DATED: February 27, 2018

Respectfully submitted,

4 **GIBBS LAW GROUP LLP**

5 By: /s/ Steven M. Tindall

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Attorneys for Plaintiff

21 Dated: February 27, 2018

ANDERIES & GOMES LLP

22 By: /s/ Allan J. Gomes

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*Attorneys for Defendants Direct Flow Medical, Inc., Dan
Lemaitre, John David Boyle, Gordon Bishop, Paul
LaViolette, and Yuval Binur*

1 * * *

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3 **ATTESTATION OF E-FILED SIGNATURE**

4 I, Steven M. Tindall, am the ECF User whose ID and password are being used to file the
5 foregoing **JOINT STIPULATION AND [PROPOSED] ORDER TO EXTEND CASE**
6 **MANAGEMENT SCHEDULE AND CONFERENCE**. In compliance with Civil L.R. 5-1(i)(3), I
7 hereby attest that the other signatories listed have concurred in this filing.
8

9 Dated: February 27, 2018

By: /s/ Steven M. Tindall

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11
12 ~~**[PROPOSED]**~~ **ORDER MODIFYING CASE MANAGEMENT SCHEDULE AND**
13 **CONFERENCE**

14 Pursuant to the Stipulation of the Parties, and good cause appearing therefor, the above
15 deadlines for this case are and will be so modified.
16

17 **IT IS SO ORDERED.**

18
19
20 Dated: 2/26/18


21 HONORABLE KANDIS A. WESTMORE
22 UNITED STATES MAGISTRATE JUDGE
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