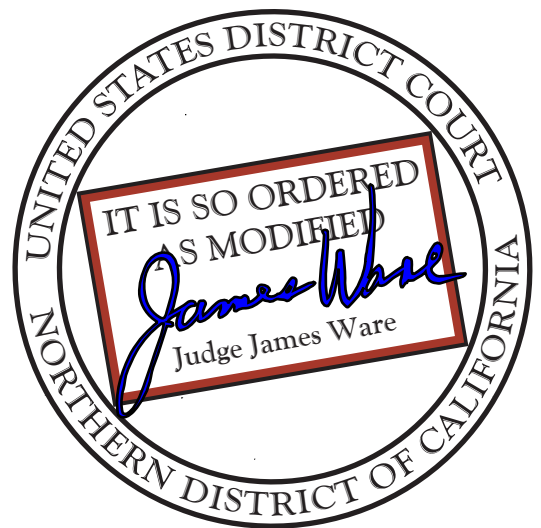


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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18 THOMAS A. PAULSEN, et al.

CASE NO. C 03-03960 JW (PVT)

19 Plaintiffs,

**JOINT STIPULATION AND [Proposed] ORDER REGARDING CLASS CERTIFICATION BRIEFING AND HEARING**

20 v.

21 CNF, INC., et al.

22 Defendants.

23 Place: Courtroom 8  
 Judge: Honorable James Ware

24  
 25 WHEREAS, the Court entered a Scheduling Order in this matter on January 27, 2010, which  
 26 set the close of class discovery on April 23, 2010 and the hearing on class certification on June 7,  
 27 2010;

1 WHEREAS, under that schedule, Plaintiffs' opening brief would be due May 3, 2010,  
2 Defendant's opposition brief would be due May 17, and Plaintiffs' reply would be due May 24;

3 WHEREAS, the parties have agreed to attempt to resolve the matter through mediation  
4 using Hon. Edward Infante (Ret.) as the mediator;

5 WHEREAS, the earliest date on Judge Infante's schedule that the parties could obtain for  
6 mediation is June 3, 2010;

7 WHEREAS, the parties believe it would promote the possibility of resolving the case by  
8 mediation and would be in the interests of judicial and administrative efficiency to conduct the  
9 mediation prior to filing the class certification briefs;

10 WHEREAS, the Court is unavailable for a hearing from June 20<sup>th</sup> until September 20;

11 IT IS HEREBY AGREED AND STIPULATED BY THE PARTIES, if the Court approves,  
12 as follows:


- 13 1) Plaintiffs' opening brief on class certification would be due August 16, 2010,  
14 Defendant's opposition brief would be due August 30, Plaintiffs' reply would  
15 be due September 7, and the hearing would be September 20, 2010, or as soon  
16 thereafter as the Court's schedule allows;
- 17 2) The close of class discovery would be August 6, 2010;
- 18 3) The close of all discovery would be December 8, 2010;
- 19 4) The last date for hearing dispositive motions (60 days after the close of all  
20 discovery) would be February 8, 2011;
- 21 5) The preliminary pretrial conference would be November 8, 2010 (30 days before  
22 the close of all discovery);
- 23 6) The preliminary pretrial conference statements would be due October 29, 2010  
24 (10 days before the pretrial conference);  
25  
26  
27  
28



1	the close of all discovery)	
2	Preliminary pretrial conference (30 days before the close of	<b>August 30, 2010 at 11:00 AM</b>
3	all discovery)	
4	Preliminary pretrial conference statements (10 days before	<b>August 20, 2010</b>
5	the pretrial conference)	

7           IT IS SO ORDERED.

9   Dated: March 30, 2010

8  
  
 Hon. James Ware  
 United States District Judge

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