

E-Filed 12/20/2010

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7 Attorneys for Defendant, ERNST & YOUNG LLP

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION
 11

12 DAVID HO, on behalf of himself and others
 13 similarly situated and on behalf of the
 general public and DOES 1-20

14 Plaintiff,

15 v.

16 ERNST & YOUNG, LLP

17 Defendant.

Case No. CV 05-04867 JF (HRL)

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING DEADLINE FOR
 FILING DEFENDANT'S OPPOSITION
 TO PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

18 JOSEPH LANDON individually and on
 19 behalf of all others similarly situated,

20 Plaintiff,

21 v.

22 ERNST & YOUNG LLP, a limited liability
 partnership; ERNST & YOUNG U.S. LLP, a
 23 limited liability partnership; and DOES 1-
 100, inclusive,

24 Defendant.

C 08-2853 JF (HRL)

25 **Caption continued on next page.**
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1 MICHELLE RICHARDS, on behalf 16 of
2 herself and all others similarly situated and
3 on behalf of the general public,

4 Plaintiff,

5 v.

6 ERNST & YOUNG LLP, and DOES - 50
7 Defendant.

C 08-4988 JF (HRL)

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1 Plaintiffs Sarah Fernandez and Michelle Richards, and Defendant Ernst & Young LLP, by and
2 through their respective counsel, hereby agree and stipulate as follows:

3 **WHEREAS**, pursuant to the parties' stipulation which the Court approved on September 24,
4 2010, Defendant's opposition to Plaintiffs' motion for class certification would be due December 31,
5 2010, and Plaintiffs' reply in support of their motion would be due March 11, 2011;

6 **WHEREAS**, due to unforeseen scheduling conflicts, Defendant is unable to proceed on the
7 date scheduled for the deposition of Plaintiff's expert witness Roger B. Shlonsky;

8 **WHEREAS**, the parties have agreed to re-schedule the deposition of Roger B. Shlonsky for the
9 week of January 11, 2011;

10 **WHEREAS**, the parties have met and conferred and agree that in order to accommodate this
11 deposition, the briefing schedule should be amended as follows:

- 12 1. Defendant's opposition to Plaintiffs' motion for class certification is due on or before
13 January 21, 2011; and
- 14 2. Plaintiffs' reply in support of their motion for class certification will remain due on or
15 before March 11, 2011, with the caveat that Defendant will not oppose a request for an
16 extension should Plaintiffs request it.

17 Respectfully submitted,

18 Dated: December 20, 2010

AKIN GUMP STRAUSS HAUER & FELD LLP

19 By /s/ Gregory W. Knopp

20 Gregory W. Knopp
21 Attorneys for Defendant,
ERNST & YOUNG LLP

22 Dated: December 20, 2010

HOFFMAN & LAZEAR

23 By /s/ Ross Libenson

24 Ross Libenson
25 Attorneys for Plaintiffs David Ho, Sarah Fernandez and
Michelle Richards

26 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

27 Dated: Dec. 20, 2010

By 

28 The Honorable Gregory W. Knopp
JUDGE, UNITED STATES DISTRICT COURT

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over the
4 age of 18 and not a party to the within action; my business address is: 2029 Century
5 Park East, Suite 2400, Los Angeles, California 90067. On December 20, 2010, I served
6 the foregoing document(s) described as: **STIPULATION AND [PROPOSED]
ORDER CONTINUING DEADLINE FOR FILING DEFENDANT'S
OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION** on
the interested party(ies) below, using the following means:

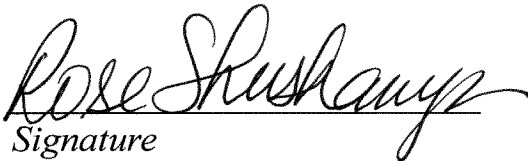
7 **All parties identified for Notice of Electronic Filing
8 generated by the Court's CM/ECF system under the
referenced case caption and number**

9 BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an
10 agreement of the parties to accept service by e-mail or electronic transmission, I caused
11 the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated
above. I did not receive, within a reasonable time after the transmission, any electronic
message or other indication that the transmission was unsuccessful.

12 I declare that I am employed in the office of a member of the bar of this court at
13 whose direction the service was made.

14 Executed on December 20, 2010 at Los Angeles, California.

15
16 Rose Shushanyan
17 *Print Name*


Signature