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E-FILED - 10/20/09

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Santiago Hernandez, et al.,
individually, on behalf of all others
similarly situated, and on behalf of the
general public

Plaintiffs,

vs.

United Auto Credit Corporation, and
DOES 1-50, inclusive,

Defendants.

Case No. C08 03404 RMW/PVT

**STIPULATION AND [XXXXXXXXXX
ORDER TO SHORTEN TIME FOR
HEARING AND BRIEFING
SCHEDULE REGARDING
DEFENDANT'S RULE 56(F)
MOTION**

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1 By stipulation and agreement of the parties, and for purposes of the efficiency of
2 holding the hearings of all pending motions on the same date, September 11, 2009, the
3 parties hereby stipulate that the hearing on Defendant's Motion, Pursuant to Rule 56(f)
4 For Denial Of, Or In The Alternative, Continuance Of Plaintiffs' Motion For Partial
5 Summary Judgment, be rescheduled for September 11, 2009 (instead of the previously
6 scheduled September 25, 2009) so that the hearing date matches that of Defendant's
7 Motion to Decertify the Conditional FLSA Class, Plaintiffs' Motion for Partial Summary
8 Judgment and Plaintiffs' Motion For Leave To File Second Amended Complaint.

9 The parties further stipulate to a shortened briefing schedule as to Defendant's
10 Motion, Pursuant To Rule 56(f) For Denial Of, Or In The Alternative, Continuance Of
11 Plaintiffs' Motion for Partial Summary Judgment as follows: Plaintiffs' opposition brief
12 shall be due on September 1, 2009 and Defendant's reply brief shall be due by 10 a.m.
13 on September 8, 2009.

14
15 Dated: August 27, 2009

NICHOLS KASTER, LLP
Attorneys for Plaintiffs

16
17 By: /s/ Matthew C. Helland
Matthew C. Helland

18
19 LITTLER MENDELSON
Attorneys for Defendant

20
21 By: /s/ D. Chad Anderton
D. Chad Anderton

22
23 PURSUANT TO STIPULATION, IT IS SO ORDERED

24 Dated: 10/20/09

Ronald M. Whyte
25 Hon. Ronald M. Whyte
United States District Court Judge

26 Firmwide:91733416.1 060715.1001