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 9 Attorneys for Defendant  
 FEDEX FREIGHT, INC.

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN JOSE DIVISION

14 ROY D. TAYLOR, ARLETHA FLUD,  
 15 THOMAS J. WOOD, ERNEST C.  
 HARVEY, II, individually, and on behalf  
 16 of all other similarly situated,,  
 17

Plaintiff,

18 v.

19 FEDEX FREIGHT, INC., an Arkansas  
 Corporation, and DOES 1 through 20,  
 20 inclusive,  
 21

Defendant.

Case No. 5:10-CV-02118 LHK

**JOINT STIPULATION AND  
 PROPOSED ORDER REGARDING  
 MEDIATION**

22  
 23 WHEREAS, the parties were previously ordered by this Court to attend mediation in  
 24 January 2011;

25 WHEREAS, the parties worked together with the mediator to come up with a  
 26 mutually agreeable date, but given the schedules of counsel and the mediator, no date was available  
 27 until February 17, 2011; and  
 28

1 WHEREAS, the parties have reserved February 17, 2011 as a mediation date for the  
2 above-entitled matter.

3 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and  
4 between Plaintiffs Roy Taylor, Arletha Flud, Thomas Wood and Ernest Harvey and Defendant  
5 FedEx Freight, Inc., through their respective counsel, and subject to approval by the Court, that the  
6 date for mediation can be extended to February 17, 2011. There have been no prior requests for  
7 extension of the mediation completion date, and continuation of the date to February 17, 2011, does  
8 not affect any other dates previously set by the Court.

9 Dated: January 25, 2011

10 /s/  
11 MICHELLE B. HEVERLY  
12 LITTLER MENDELSON  
13 A Professional Corporation  
14 Attorneys for Defendant  
15 FEDEX FREIGHT WEST, INC.

16 Dated: January 25, 2011

17 /s/  
18 MICHELLE LUNDE  
19 LAW OFFICES OF MICHAEL L. CARVER  
20 Attorneys for Plaintiffs

21 **ORDER**

22 The Court having reviewed the foregoing joint stipulation, IT IS HEREBY  
23 ORDERED as follows:

24 The mediation of the above captioned case must completed by February 17, 2011.

25  
26 Dated: January 31, 2011

27 Firmwide:99742291.1 057116.1001

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HONORABLE LUCY KOH