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| 9 | Attorneys for Defendant FEDEX FREIGHT, INC. | | |
| 10 | redea religiti, inc. | | |
| 11 | UNITED STATES DISTRICT COURT | | |
| 12 | NORTHERN DISTRICT OF CALIFORNIA | | |
| 13 | SAN JOSE DIVISION | | |
| 14 | ROY D. TAYLOR, ARLETHA FLUD, | Case No. 5:10-CV-02118 LHK | |
| 15 | THOMAS J. WOOD, ERNEST C. HARVEY, II, individually, and on behalf | JOINT STIPULATION AND | |
| 16 | of all other similarly situated,, | PROPOSED ORDER REGARDING IN-PERSON MEDIATION SESSION | |
| 17 | Plaintiff, | TO BE HELD AFTER DISPOSTIVE MOTIONS | |
| 18 | v. | | |
| 19 | FEDEX FREIGHT, INC., an Arkansas Corporation, and DOES 1 through 20, | | |
| 20 | inclusive, | | |
| 21 | Defendant. | | |
| 22 | | | |
| 23 | WHEREAS, the parties have previously mediated this case on two occasions, most | | |
| 24 | recently on February 17, 2011, before private mediator Lisa Klerman; | | |
| 25 | WHEREAS, the parties were unsuccessful in settling the matter at the time of the | | |
| 26 | mediation, but have continued to have discussions through Ms. Klerman regarding resolution of the | | |
| 27 | case; and | | |
| 28 | | | |
| LITTLER MENDELSON A PROFESSIONAL CORPORATION 2049 Century Park East 5th Floor Los Angeles, CA 90067.3107 | Case Number 5:10-CV-02118 LHK JOINT STIPULATION AND PROPOSED ORDER REGARDING POST MOTION MEDIATION | | |
| 310.553.0308 | JOINT STIFULATION AND PROPOSED | ORDER REGARDING FOST MOTION MEDIATION | |

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| 1 | WHEREAS, the parties agree that any settlement discussions will be more productive | | |
|-------------------------|---|--|--|
| 2 | after the proposed dispositive motions (cross motions for summary judgment/adjudication and | | |
| 3 | Defendant's motion for decertification) have been filed and heard; | | |
| 4 | WHEREAS, at the Case Management Conference hearing held on March 2, 2011, | | |
| 5 | this Court ordered that the parties continue settlement discussions and that they attend another in- | | |
| 6 | person mediation session following motion practice; | | |
| 7 | WHEREAS, the parties agree that they will participate in telephonic medication | | |
| 8 | discussions through Ms. Klerman after the filing of the aforementioned motions; | | |
| 9 | WHEREAS, the parties agree that they will attend an in-person mediation following | | |
| 10 | the hearing on those motions, which the parties agreed to set for June 7, 2011. | | |
| 11 | NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and | | |
| 12 | between Plaintiffs Roy Taylor, Arletha Flud, Thomas Wood and Ernest Harvey and Defendant | | |
| 13 | FedEx Freight, Inc., through their respective counsel, and subject to approval by the Court, that the | | |
| 14 | date for the in-person mediation be set for June 7, 2011. The parties and Ms. Klerman are available | | |
| 15 | on this date. | | |
| 16 | Dated: March 9, 2011 | | |
| 17 | /s/ | | |
| 18 | MICHELLE B. HEVERLY LITTLER MENDELSON | | |
| 19 | A Professional Corporation Attorneys for Defendant | | |
| 20 | FEDEX FREIGHT WEST, INC. | | |
| 21 | Dated: March 9, 2011 | | |
| 22 | | | |
| 23 | | | |
| 24 | /s/ | | |
| 25 | JAMES ASHWORTH LAW OFFICES OF MARY ALICE | | |
| 26 | COLEMAN Attorneys for Plaintiffs | | |
| 27 | | | |
| 28 | | | |
| ORPORATION Park East | 2. Case No. 5:10-CV-02118 LHK | | |

LITTLER MENDELSON
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Los Angeles, CA 90067.3107
310.553.0308

ORDER The Court having reviewed the foregoing joint stipulation, IT IS HEREBY ORDERED as follows: The in-person mediation of the above captioned case shall be held on June 7, 2011. Dated: March 11 _, 2011 Firmwide:100587612.1 057116.1001

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