

5/31/2013

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6 Attorneys for Defendant
 7 COSTCO WHOLESALE CORPORATION

8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN JOSE DIVISION**

11

12 KAREN THOMAS and LISA LIDDLE,
 13 individually and on behalf of all others similarly
 14 situated,
 15
 16 Plaintiffs,
 17
 18 v.
 19 COSTCO WHOLESALE CORPORATION,
 20
 21 Defendant.

22 **Case No. 5:12-CV-02908-EJD-PSG**
 23 **STIPULATION AND ~~PROPOSED~~**
 24 **ORDER REGARDING MEDIATION**

25 Judge: Hon. Edward J. Davila
 26 Original Complaint Filed: June 5, 2012

27 **STIPULATION AND ~~PROPOSED~~ ORDER REGARDING MEDIATION**

28 The parties, through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, counsel for the parties previously agreed, and the Court ordered, that they would participate in a mediation session “within 90 days of the Court’s ruling on the Defendant’s Motion to Dismiss Plaintiffs’ Amended Complaint for Damages, Equitable and Injunctive Relief.”

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1 WHEREAS, on April 9, the Court granted Defendant's Motion to Dismiss Plaintiff's
2 Amended Complaint for Damages, Equitable and Injunctive Relief, with leave to amend, and
3 declined to set a case management schedule at that time;

4 WHEREAS, on April 24, 2013, Plaintiffs filed a second amended complaint;

5 WHEREAS, Defendant's response to that complaint is due June 7, 2013 and Defendant
6 intends to file a motion to dismiss, among other things, all claims by Plaintiff Thomas;

7 WHEREAS, on May 29, 2013, the parties participated in a call with assigned mediator
8 Mark LeHocky and discussed the most appropriate timing for mediation in light of the upcoming
9 motion to dismiss;
10

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
12 parties and their counsel that: The parties will participate in mediation within 90 days of the
13 Court's order on Defendant's motion to dismiss the second amended complaint.
14

15 IT IS SO STIPULATED.

16 Dated: May 29, 2013

Dated: May 29, 2013

17 PRATT & ASSOCIATES

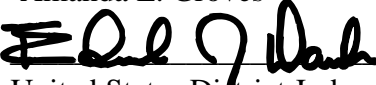
WINSTON & STRAWN LLP

18 /s/ Ben F. Pierce Gore
19 Ben F. Pierce Gore
20 Attorney for Plaintiffs
21 KAREN THOMAS AND LISA LIDDLE

/s/ Amanda L. Groves
Amanda L. Groves
Attorney for Defendant
COSTCO WHOLESALE CORPORATION

22 Amanda L. Groves attests that Ben F. Pierce Gore has consented to the filing of this
23 document.
24

25 IT IS SO ORDERED
26 Dated: May 31, 2013

/s/ Amanda L. Groves
Amanda L. Groves

United States District Judge
Edward J. Davila