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27 Attorneys for Defendant
 28 HOME DEPOT U.S.A., INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

22 JOHN BARRERA, JR.
 23 Plaintiff,
 24 vs.
 25 THE HOME DEPOT U.S.A., INC., and DOES 1
 26 through 10, inclusive,
 27 Defendants.

Case No. CV 12-05199 LHK (HRL)

**STIPULATION TO CONTINUE
 MEDIATION COMPLETION DEADLINE
 AND [~~PROPOSED~~] ORDER**

Action Filed: September 4, 2012
 Trial Date: March 17, 2014

1 Plaintiff John Barrera, Jr. (“Plaintiff”) and Defendant Home Depot U.S.A., Inc.
2 (“Defendant”) (collectively, the “Parties”), by and through undersigned counsel, jointly stipulate
3 and agree as follows:

4 1. Plaintiff’s Complaint alleges claims for (1) violation of the California Family Rights
5 Act (“CFRA”); (2) retaliation in violation of the CFRA; (3) retaliation in violation of the Fair
6 Employment and Housing Act (“FEHA”); (4) violation of Labor Code section 203; and (5)
7 penalties pursuant to the California Private Attorney General Act of 2004 (“PAGA”);

8 2. On February 6, 2013, at the Initial Case Management Conference, the Court issued a
9 Minute Order and Case Management Order, referring the Parties to Court mediation and setting a
10 deadline for mediation as 120 days from the date of the Order;

11 3. On February 13, 2013, Plaintiff filed a Notice of Motion and Motion For Leave To
12 File First Amended Complaint (the “Motion”) with this Court. In essence, Plaintiff seeks to amend
13 the Complaint to add class action allegations. The hearing date set for the Motion was and is June
14 20, 2013;

15 4. The deadline set by the Court for mediation currently falls on June 6, 2013, which is
16 before the hearing on Plaintiff’s Motion; and

17 5. The Parties agree that the outcome of Plaintiff’s Motion has the potential to impact
18 the scope of any potential resolution. As such, the Parties will not be in a position to mediate the
19 instant lawsuit until Plaintiff’s Motion is ruled upon. The Parties agree that good cause exists to
20 postpone the mediation until after the hearing on Plaintiff’s Motion.

21 In consideration of the above, the Parties agree and stipulate for an Order to modify the
22 Court’s Case Management Order and continue the mediation completion date from June 6, 2013 to
23 July 20, 2013.

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DATED: March 13, 2013

DIVERSITY LAW GROUP, P.C.

By: /s/ Larry W. Lee
LARRY W. LEE
Attorneys for Plaintiff
John Barrera, Jr.

DATED: March 13, 2013

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Gregory C. Cheng
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KRYSTAL N. LOPILATO
Attorneys for Defendant
HOME DEPOT U.S.A., INC.

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[PROPOSED] ORDER

GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED that the Case Management Order is modified to continue the mediation cut-off date from June 6, 2013 to July 20, 2013.

IT IS SO ORDERED.

Dated: 3/19/13



HONORABLE LUCY H. KOH
UNITED STATES DISTRICT JUDGE

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