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14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

18 ERIC BENEDICT, RICHARD
 BOWDERS, KILRICANOS VIEIRA, and
 19 DAVID MUSTAIN, on behalf of
 themselves and classes of those similarly
 20 situated,

21 Plaintiffs,

22 v.

23 HEWLETT-PACKARD COMPANY,

24 Defendant.

Case No. C 13-0119 BLF

**STIPULATION AND ~~PROPOSED~~ ORDER
 RE-SETTING DATES FOR SUMMARY
 JUDGMENT HEARING AND FINAL
 PRETRIAL CONFERENCE AS MODIFIED**

1 WHEREAS, Plaintiffs Eric Benedict and David Mustain (“Plaintiffs”) and Defendant
2 Hewlett-Packard Company (“HP”) are in discussions to resolve the case and have engaged with a
3 mediator for that purpose;

4 WHEREAS, HP’s Motion for Summary Judgment against Plaintiffs on their individual
5 claims is currently set for hearing July 21, 2016, and there are several other upcoming deadlines
6 based on the Final Pretrial Conference, currently scheduled for August 18, 2016, at 1:30 p.m.;

7 WHEREAS, the parties believe it would be productive to defer the Summary Judgment
8 hearing and Final Pretrial Conference to provide them time to engage with the mediator in an
9 attempt to the resolve the case;

10 WHEREAS, the parties have met and conferred and jointly reached a proposal for a modified
11 schedule that would give the parties such time while still keeping the current trial date (October 3,
12 2016) and still holding the Final Pretrial Conference more than two weeks in advance of the trial
13 date, consistent with this Court’s Standing Order;

14 THEREFORE, the parties hereby stipulate and request that the Court enter an Order:

- 15 1. Resetting the hearing on HP’s Motion for Summary Judgment from July 21, 2016, at
16 9:00 a.m., to August 18, 2016, at 1:30 p.m.;
- 17 2. Resetting the Final Pretrial Conference from August 18, 2016 at 1:30 p.m. to
18 September ~~15~~ 22, 2016, at 1:30 p.m.;
- 19 3. All deadlines that are based on the Final Pretrial Conference as set forth in the
20 Court’s Standing Order(s) shall be reset accordingly; and
- 21 4. All other dates shall remain the same.

22 **IT IS SO STIPULATED.**

23 Dated: July 15, 2016

SIDLEY AUSTIN LLP

24 By: /s/ Wendy M. Lazerson
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Hewlett-Packard Company*

Dated: July 15, 2016

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PURSUANT TO STIPULATION, IT IS ORDERED AS MODIFIED ABOVE.

Dated: July 15, 2016



The Honorable Beth Labson Freeman
United States District Judge

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ATTESTATION OF SIGNATURE

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatory above.

DATED: July 15, 2016

SIDLEY AUSTIN LLP

By: /s/ Wendy M. Lazerson

*Attorneys for Defendant and
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