

IMAI, TADLOCK, KEENEY & CORDERY, LLP
R. RANDY WERTZ
 rrwertz@itkc.com
 220 Montgomery Street, Suite 301
 San Francisco, California 94104
 Telephone: (415) 675-7000
 Facsimile: (415) 675-7008

YOUNG BASILE HANLON & MACFARLANE, P.C.
JEFFREY D. WILSON (PRO HAC VICE)
 wilson@youngbasile.com
NATASHA R. MENEZES (PRO HAC VICE)
 menezes@youngbasile.com
 3001 W. Big Beaver Road, Suite 624
 Troy, Michigan 48084
 Telephone: (248) 649-3333
 Facsimile: (248) 649-3338

Attorneys for Defendants
 IXL Learning, Inc.

**U.S. EQUAL EMPLOYMENT OPPORTUNITY
 COMMISSION**

ROBERTA L. STEELE
MARCIA L. MITCHELL
AMI SANGHVI
 ami.sanghvi@eeoc.gov
 450 Golden Gate Ave., 5th Floor West
 P.O. Box 36025
 San Francisco, California 94102
 Telephone: (415) 522-3071
 Facsimile: (415) 522-3425

Attorneys for Plaintiff EEOC

THE MAREK LAW FIRM, INC.
DAVID MAREK
 david@marekfirm.com
 228 Hamilton Ave.
 Palo Alto, CA 94301
 Telephone: (917) 721-5042

Attorney for Plaintiff-Intervenor Duane

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

U.S. EQUAL EMPLOYMENT OPPORTUNITY : Case No.: 3:17-cv-02979-VC

COMMISSION, :

Plaintiff, :

and :

ADRIAN SCOTT DUANE, :

Plaintiff-Intervenor, :

v. :

IXL LEARNING, INC., :

Defendant. :

**STIPULATION REGARDING
 DISPOSITIVE MOTION BRIEFING
 SCHEDULE**

In response to the Court's Order regarding Dispositive Motion Briefing (DE 74), Plaintiff U.S. Equal Employment Opportunity Commission, Plaintiff-Intervenor Adrian Scott Duane (collectively, the "Plaintiffs"), and Defendant IXL Learning, Inc. ("Defendant") agreed to a briefing schedule for the cross-motions for summary judgment as follows:

1. Plaintiffs' opening brief and supporting papers due July 19, 2018;
2. Defendant's opening brief/opposition brief and supporting papers due August 2, 2018;
3. Plaintiffs' opposition brief/reply brief and supporting papers due August 16, 2018; and
4. Defendant's reply brief and supporting papers due August 23, 2018.

The Court set the dispositive motion hearing for September 20, 2018. DE 54. Plaintiffs filed a Joint Motion for Partial Summary Judgment on July 19, 2018. DE 68. Defendant filed a Notice of Motion and Motion for Summary Judgment on August 2, 2018. DE 70. Following technical difficulties in the filing of the exhibits in support of Defendant's Motion for Summary Judgment, the exhibits to Defendant's Motion for Summary Judgment were filed eight minutes after the August 2, 2018 midnight deadline. DE 71. Plaintiffs do not intend on treating the exhibits to Defendant's Motion for Summary Judgment as late.

It is so stipulated through counsel of record.

Date: August 16, 2018

/s/ Ami Sanghvi (with consent)

Ami Sanghvi

Attorney for Plaintiff

U.S. Equal Employment Opportunity Commission

Date: August 16, 2018

/s/ David Marek (with consent)

David Marek

Attorney for Plaintiff-Intervenor

Adrian Scott Duane

Date: August 16, 2018

/s/ Natasha R. Menezes

Natasha R. Menezes

Attorney for Defendant

IXL Learning, Inc.

LOCAL RULE 5-1(i)(3) ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from Ami Sanghvi and David Marek.

Date: August 16, 2018

/s/ Natasha R. Menezes

Natasha R. Menezes

Pursuant to stipulation, it is so ordered.

Date: August __, 2018

Hon. Vince Chhabria

United States District Court Judge

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on August 16, 2018, the foregoing was caused to be filed with the Court by electronic filing protocols, and that same will therefore be electronically served upon all attorneys of record registered with the Court's ECF/CM system.

/s/ Natasha R. Menezes

Natasha R. Menezes