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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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

Plaintiff, :

and :

ADRIAN SCOTT DUANE, :

Plaintiff-Intervenor, :

v. :

IXL LEARNING, INC., :

Defendant. :

**STIPULATION REGARDING
DISPOSITIVE MOTION BRIEFING
SCHEDULE**

AND ORDER

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

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

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

15 It is so stipulated through counsel of record.

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18 Date: August 16, 2018

/s/ Ami Sanghvi (with consent)

Ami Sanghvi
Attorney for Plaintiff
U.S. Equal Employment Opportunity Commission

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21 Date: August 16, 2018

/s/ David Marek (with consent)

David Marek
Attorney for Plaintiff-Intervenor
Adrian Scott Duane

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23
24 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 17, 2018



Hon. Vince Chhabria
United States District Court Judge