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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA AT FRESNO

10 SABAS ARREDONDO, JOSE CUEVAS,
11 HILARIO GOMEZ, IRMA LANDEROS, and
12 ROSALBA LANDEROS individually, and on
13 behalf of all others similarly situated,

14 Plaintiffs,

15 v.

16 DELANO FARMS COMPANY, a Washington
17 State Corporation; CAL-PACIFIC FARM
18 MANAGEMENT, L.P.; T&R BANGI'S
19 AGRICULTURAL SERVICES, INC., and
20 DOES 1 through 10, inclusive,

21 Defendants.

NO. 1:09-cv-01247-MJS

**STIPULATION AND ORDER RE
CLASS COUNSEL'S MOTION FOR
ATTORNEY'S FEES AND
MISCELLANEOUS MATTERS**

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I. STIPULATION

Pursuant to the Court's Scheduling Order (Dok. 488), the deadline for Class Counsel to file its Motion for Attorney's Fees is July 21, 2017. Due primarily to Class Counsel's recent illness, they have requested to extend the deadline for Class Counsel to file its motion for attorney's fees by two weeks, to August 4, 2017. Defendants do not oppose this extension. As a result of this proposed change in date, it is necessary to extend the deadline for class members to submit objections to the settlement by two weeks – from August 4, 2017 to August 18, 2017.

In light of these changes, the parties agree that the deadline to submit claim forms also can be continued – from August 4, 2017 to August 18, 2017 – to allow more class members to

1 submit claims.

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3 In addition, pursuant to ¶ 58d of the Joint Stipulation of Settlement of Class Actions
4 (Dok. 463-1, Ex. 1), Radio Ads prepared by KCC (the Settlement Administrator) announcing
5 the settlement were to begin no later than the date of the First Mailing and cease no later than
6 115 days after entry of the Order of Certification and Preliminary Approval.(Dok. 488 at 2).
7 Thus, the Radio Ads were to begin on May 16, 2017 and cease on June 10, 2017. The date for
8 the First Mailing was subsequently changed by stipulation and order to May 19, 2017. (Dok.
9 492). Due to minor delays, KCC sent the second mailing two days late (on June 12, 2017) and
10 began the radio ads on June 19, 2017and. KCC ran the radio ads until July 14, for 25 days, so
11 that the run time for Radio Ads was not any shorter than the period set forth in the Joint
12 Stipulation of Settlement. None of the parties believes this has negatively affected the
13 dissemination of notice to the class, but the parties wish to keep the Court informed of these
14 minor changes and delays.

15 Accordingly, the parties stipulate and jointly request that the Deadline for the Class
16 Counsel to file its Motion for Attorney's Fees be extended from July 21, 2017 to August 4,
17 2017 and that the deadline for class members to object or file claim forms be extended from
18 August 4, 2017 to August 18, 2017. It is expected that this will not necessitate a change in any
19 other deadlines or in the date of the Fairness and Approval Hearing. KCC and the Community
20 Administrator will take necessary steps to update the website and advise class members of the
21 change in these dates, once an order is approved.

22 **Issue of Deadline for Class Members to Submit Opt-Out Forms**

23 In connection with the continuance of the deadlines above, Delano Farms believes it is
24 also appropriate to extend the deadline for class members to opt out from August 4, 2017 to the
25 August 18, 2017, to mirror the fact that the initial agreement and scheduling order had identical
26 deadlines for submitting claims, objecting, or opting out. Counsel for the Bangi Contractors
27 does not agree that the date for opting out should be extended, and instead believes that the

1 current deadline of August 4, 2017 should remain. The parties therefore request a brief
2 telephonic conference with the Court in the next 2 – 4 days to resolve this matter via telephonic
3 conference, to be followed by a supplemental order addressing the opt-out deadline.
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5 SO STIPULATED:

6 July 19, 2017
7

8 **SAVITT BRUCE & WILLEY LLP**

MCCORMICK BARSTOW LLP

9
10 By /s/ Miles Yanick (as authorized on July

19, 2017) By /s/ D. Greg Durbin (as authorized on July 19,

11 David N. Bruce, *Pro Hac Vice*
Miles A. Yanick, *Pro Hac Vice*

D. Greg Durbin, State Bar No. 81749
Laura A. Wolfe, State Bar No. 266751

12 Attorneys for Delano Farms Company

Attorneys for Cal-Pacific Farm Management,
13 L.P. and T&R Bangi's Agricultural Services, Inc.

14 **LAW OFFICES OF WILLIAM C. HAHESY**

MARTINEZ AGUILASOCHO & LYNCH

15
16 By /s/ William C. Hahesy (as authorized on

By /s/ Mario Martinez

17 July 19, 2017) William C. Hahesy, State Bar No. 105743

Mario Martinez, State Bar No. 200721

Thomas Patrick Lynch, State Bar No.159277

18 Attorney for Delano Farms Company

19 Attorneys for Plaintiffs
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II. ORDER

IT IS SO ORDERED. The Deadline for Class Counsel to file its Motion for Attorney's Fees is extended from July 21, 2017 to August 4, 2017 and the deadline for class members to object or file claim forms is extended from August 4, 2017 to August 18, 2017. The Court has scheduled a separate telephonic conference with the parties to address the issue of the deadline for class members to submit their opt out forms.

IT IS SO ORDERED.

Dated: July 20, 2017

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE