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Attorneys for Plaintiffs LETICIA CEJA-CORONA,
and MARGARITA RUBIO ARMENTA
on behalf of themselves and others similarly situated.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

LETICIA CEJA-CORONA; MARGARITA RUBIO ARMENTA on behalf of themselves and others similarly situated,

Case No. 1:12-CV-01868-AWI-DLB

Courtroom: 2
Judge: Hon. Anthony Ishii

Plaintiffs,

V.

CVS PHARMACY, INC., a corporation; and
DOES 1 through 50, inclusive.

**JOINT STIPULATION TO CONTINUE
PRELIMINARY APPROVAL FILING
DEADLINE; ORDER**

Defendants.

Complaint Filed: October 9, 2012

1 COME NOW Plaintiffs Leticia Ceja-Corona (“Ceja-Corona”), and Margarita Rubio Armenta
2 (“Armenta”) (hereinafter collectively referred to as “Plaintiffs”), and Defendant CVS Pharmacy, Inc.
3 (collectively hereinafter the “Parties”), through their respective counsel of record, and respectfully
4 submit this Joint Stipulation and Proposed Order.

5 The Parties hereby stipulate and agree:

- 6 1. WHEREAS on April 8, 2013, the Court issued a scheduling order in this action (ECF No.
7 14) setting the deadline for filing a motion for class certification on February 28, 2014. The
8 Court extended this deadline to August 25, 2014 by order issued on January 9, 2014. (ECF
9 No. 38.)
- 10 2. WHEREAS Plaintiffs filed a motion for preliminary approval of a class action settlement on
11 July 30, 2014 (ECF No. 48);
- 12 3. WHEREAS the hearing on Plaintiff’s motion took place on September 10, 2014;
- 13 4. WHEREAS the Court ordered on September 11, 2014, that Plaintiffs file an amended motion
14 and supporting documents addressing the issues outlined in the order on or before October
15 15, 2014 (which was later extended to October 22, 2014 by stipulation);
- 16 5. WHEREAS Plaintiffs complied with the Court’s order and filed the amended documents
17 (ECF No. 55) and on a continued hearing on the motion for preliminary approval took place
18 on Wednesday, October 29, 2014 at 10:00 a.m. in Courtroom 9 before United States
19 Magistrate Judge Stanley A. Boone;
- 20 6. WHEREAS based on the findings and recommendations issued by Magistrate Judge Boone
21 that the motion be denied (ECF No. 59) Plaintiffs withdrew their motion for preliminary
22 approval in order to meet and confer with Defendants and revise the settlement terms
23 according to the findings and recommendations issued by Magistrate Judge Boone (ECF No.
24 60);
- 25 7. WHEREAS the parties are in the process of revising the settlement terms to address the
26 issues raised by the Court’s Order (ECF No. 59) and expect to have a new stipulation of

1 settlement executed by late November and thereafter wish to file a new motion for
2 preliminary approval of class action settlement;

3 8. Therefore the parties hereby stipulate to continue Plaintiffs' deadline to file its motion for
4 preliminary approval through December 12, 2014.
5 9. There is good cause to grant this stipulation: the parties have invested tremendous resources
6 in litigating and settling the class action claims in this matter which, if approved, will result
7 in real value for class members. The parties are meeting and conferring in order to further
8 revise the terms of settlement to comply with Magistrate Judge Boone's Findings and
9 Recommendations and expect to do so as follows:

10 a. the parties expect to agree to exclude the release of reporting time pay claims without
11 altering the monetary terms of the settlement; and,
12 b. the parties expect to agree to put the Labor & Workforce Development Agency on
13 notice of the monetary allocation for the PAGA claim.

14 10. No party will be prejudiced by the granting of this stipulation.

15 **SO STIPULATED.**

16 Dated: November 14, 2014

DAVID YEREMIAN & ASSOCIATES, INC.

18 By /s/-David Yeremian
19 David H. Yeremian
20 Attorneys for Plaintiff LETICIA CEJA-
CORONA, and the Putative Class

21 Dated: November 14, 2014

LITTLER MENDELSON, P.C.

23 By /s/-Jody Landry
24 Jody Landry
25 Attorneys for Defendant CVS Pharmacy, Inc.

ORDER

The Parties having stipulated to the foregoing, and GOOD CAUSE appearing therefore, IT
IS HEREBY ORDERED:

4 1. The dates indicated below shall be the new deadlines in this matter:

5 a. Deadline to file motion for preliminary approval of a class action settlement,

6 December 12, 2014;

7 b. The hearing on any motion for preliminary approval shall be set by the parties in

8 accordance with the Local Rules.

IT IS SO ORDERED.

Dated: **November 14, 2014**



UNITED STATES MAGISTRATE JUDGE