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5 Attorneys for Defendant BROWN GROUP RETAIL, INC., a  
6 Pennsylvania corporation, d/b/a Famous Footwear, erroneously  
sued as BROWN SHOE COMPANY, INC.

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8  
9 UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

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12 JEROME DAVIS and PRISCILLA  
13 HUMPHREY, individually and on behalf of  
others similarly situated,

14 Plaintiffs,

15 v.

16 BROWN SHOE COMPANY, INC., a New  
York corporation doing business as Famous  
17 Footwear; MIKE WEST, an individual; and  
DOES 1 through 100, inclusive,

18 Defendants.  
19  
20

CASE NO. 1:13-cv-01211-LJO-BAM

**STIPULATION POSTPONING HEARING AND  
FILING DEADLINES ON PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION AND NOTICE OF  
PROPOSED SETTLEMENT; ORDER**

DATE: February 13, 2015

TIME: 9:00 a.m.

CTRM: 8

JUDGE: Hon. Barbara A. McAuliffe

Complaint Filed: June 4, 2013

Removed: August 2, 2013

21 Plaintiffs JEROME DAVIS and PRISCILLA HUMPHREY and Defendant BROWN  
22 GROUP RETAIL, INC., a Pennsylvania corporation, d/b/a Famous Footwear, erroneously sued as  
23 BROWN SHOE COMPANY, INC., by and through their counsel of record, hereby stipulate and  
24 agree as follows:

25 WHEREAS the parties have participated in a mediation and have reached a preliminary  
26 agreement on the most significant terms of a proposed settlement, including the total dollar amounts  
27 to be paid to the class and to the claims administrator, and the amounts to be sought in incentive  
28 awards and attorney fees and costs, to which Defendant will not object;

1 WHEREAS the parties have almost finalized the terms of the proposed settlement and will  
2 thereafter seek the Court's preliminary and then final approval of the proposed settlement;

3 WHEREAS a hearing on Plaintiffs' motion for class certification is set for February 13,  
4 2015, and Defendant's opposition thereto is due on January 26, 2015 with Plaintiffs' reply due on  
5 February 6, 2015; and

6 WHEREAS the parties desire to continue all dates associated with the pending motion for  
7 class certification in order to allow them time to finalize the proposed settlement and seek court  
8 approval thereon.

9 IT IS HEREBY STIPULATED AND AGREED that the following dates associated with  
10 Plaintiffs' motion for class certification be continued for a period of 12 weeks as follows:

<u>Event</u>	<u>Current Date</u>	<u>Proposed New Date</u>
Defendant's Opposition to Class Certification	01/26/2015	April 20, 2015
Plaintiffs' Reply in Support of Class Certification	02/06/2015	May 1, 2015
Court Hearing on Class Certification	02/13/2015	May 8, 2015

15  
16 DATED: January 15, 2015

CAPSTONE LAW APC

17  
18 By: /s/ Melissa Grant

RAUL PEREZ

MELISSA GRANT

Attorneys for Plaintiffs JEROME DAVIS and  
PRISCILLA HUMPHREY

19  
20  
21 DATED: January 15, 2015

JEFFER MANGELS BUTLER & MITCHELL LLP

22  
23 By: /s/ Michael J. Hassen

MICHAEL J. HASSEN

AN NGUYEN RUDA

Attorneys for Defendant BROWN GROUP RETAIL,  
INC., a Pennsylvania corporation, d/b/a Famous  
Footwear, erroneously sued as BROWN SHOE  
COMPANY, INC.

1 **ORDER**

2 THE COURT, having reviewed the above Stipulation Postponing Hearing and Filing  
3 Deadlines on Plaintiffs' Motion for Class Certification Pending Consummation of Settlement, and  
4 good cause having been shown,

5 IT IS HEREBY ORDERED that the following dates associated with Plaintiffs' Motion for  
6 Class Certification are continued as follows:

7 <u>Event</u>	<u>New Date</u>
8 Defendant's Opposition to Class Certification:	April 20, 2015
9 Plaintiffs' Reply in Support of Class Certification:	May 1, 2015
10 Hearing on Plaintiffs' Motion for Class Certification:	May 8, 2015
	Time: 9:00 AM
	11 Dept.: 8 (BAM)

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13 In addition, the Court sets a Status Conference for March 30, 2015 at 9:00 a.m. At the Status  
14 Conference, the parties shall inform the Court as to the status of settlement and whether they  
15 anticipate dates for preliminary approval of the settlement should be set. Counsel may appear at the  
16 conference by telephone. Three Court days before the hearing, the parties shall file a joint status  
17 report, limited to 2 pages, addressing these issues.

18  
19 IT IS SO ORDERED.

20 Dated: January 15, 2015

/s/ Barbara A. McAuliffe  
21 UNITED STATES MAGISTRATE JUDGE