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

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

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

Plaintiffs,

v.

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

Defendants.

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

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

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

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

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

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

IT IS HEREBY STIPULATED AND AGREED that the following dates associated with 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

DATED: January 15, 2015 CAPSTONE LAW APC

By: /s/ Melissa Grant

RAUL PEREZ

MELISSA GRANT

Attorneys for Plaintiffs JEROME DAVIS and
PRISCILLA HUMPHREY

DATED: January 15, 2015

JEFFER MANGELS BUTLER & MITCHELL LLP

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.

ORDER

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

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

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

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

IT IS SO ORDERED.

Dated: **January 15, 2015**

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