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25 UNITED STATES DISTRICT COURT
 26 EASTERN DISTRICT OF CALIFORNIA

27 KIMBERLY BURROWS, KURT
 28 BRUNNER, and SUSANNE
 TOWNSEND, individually, and on
 behalf of other members of the
 general public similarly situated,

Plaintiff,

v.

COMBINED INSURANCE
 COMPANY OF AMERICA, an
 Illinois corporation; AON SERVICE
 CORPORATION, an Illinois
 corporation,

Defendants.

Case No. 2:08-CV-01752-JAM-KJN

**JOINT STIPULATION AND ORDER
 VACATING HEARING ON PLAINTIFFS'
 MOTION FOR CLASS CERTIFICATION
 AND VACATING DEADLINE FOR
 FILING DISPOSITIVE MOTIONS DUE
 TO SETTLEMENT**

1 **THIS STIPULATION** is hereby entered into by Plaintiffs Kimberly Burrows, Kurt
2 Brunner and Sue Townsend (“Plaintiffs”) and Defendants Combined Insurance Company of
3 America, and AON Service Corporation (“Defendants”), (Plaintiffs and Defendants are collectively
4 referred to as the “Parties”) by and through their respective counsel of record.

5 **WHEREAS**, Plaintiffs’ motion for class certification is pending, with a hearing date
6 of April 21, 2010;

7 **WHEREAS**, per the Court’s November 24, 2009 Order (Document No. 30) the
8 deadline for filing any dispositive motion is May 19, 2010 (with a hearing date of June 16, 2010);

9 **WHEREAS**, the Parties have agreed to settle this matter on a class-wide basis and
10 have executed a Memorandum of Understanding (“MOU”) memorializing the key terms of their
11 settlement;

12 **WHEREAS**, Plaintiffs’ counsel is in the process of drafting a Joint Stipulation of
13 Settlement and Release along with a motion for preliminary approval of the class settlement;

14 **WHEREAS**, the Parties feel it is in the best interest of the Parties and class members,
15 as well as in the interest of judicial economy to avoid further litigation now that the Parties have
16 reached agreement on a settlement;

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1 **THEREFORE, THE PARTIES HEREBY STIPULATE** to an Order by the Court
2 vacating the hearing on Plaintiffs' pending motion for class certification and vacating the deadline
3 for filing a dispositive motion as follows:

- 4 • The hearing on Plaintiffs' Motion for Class Certification is vacated; and
- 5 • The deadlines for filing dispositive motions (previously set for May 19, 2010)
6 and for hearing such motions (previously set for June 16, 2010) are vacated.

7 Dated: April 5, 2010

8 MARLENE S. MURACO
9 LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendants

10 Dated: April 5, 2010

11 /s/ Gene Williams
(as authorized on April 5, 2010)
12 GENE F. WILLIAMS
INITIATIVE LEGAL GROUP
13 A Professional Corporation
Attorneys for Plaintiffs

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15 IT IS SO ORDERED,

16 Date: April 5, 2010

17 /s/ John A. Mendez
JOHN A. MENDEZ
United States District Judge