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9 Attorneys for Defendant CLEARWIRE CORPORATION,
 10 erroneously sued as CLEARWIRE, INC.

11
 12 IN THE UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA

14 SHARON NEWTON, individually and on) Case No. 2:11-cv-00783-WBS-DAD
 15 behalf of all others similarly situated,)
 16 Plaintiffs,) JOINT STATUS REPORT, STIPULATION
 AND [PROPOSED] ORDER CONTINUING
 17 vs.) STAY
)
 18 CLEARWIRE, INC.,)
)
 19 Defendant.)
 20)

21 **JOINT STATUS REPORT AND STIPULATION**

22 Plaintiff Sharon Newton and Defendant Clearwire Corporation, by and through their
 23 counsel, provide this joint status report and stipulate to the following and request that the Court
 24 stay this matter until March 28, 2012, so the parties can continue their settlement discussions,
 25 which remain ongoing following their formal mediation. The parties jointly request that the Court
 26 enter the following Order approving this Stipulation.

27 In support of this request, the parties represent the following to the Court:
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DAVIS WRIGHT TREMAINE LLP

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1. On December 12, 2011, the Court entered an order [Dkt. 39] approving the parties' stipulation and (i) staying the case until January 12, 2012, to allow the parties to mediate their dispute, as well as other matters involving Clearwire; (ii) vacating the hearing on Clearwire's Motion to Compel Arbitration [Dkt. 18]; and (iii) directing the parties to submit a joint status report at the expiration of the stay.

2. The parties engaged in formal mediation on January 4 and 5, 2012, and their discussions from that mediation remain ongoing.

3. The Court entered Orders [Dkts. 41, 43 & 45] extending the stay to allow the parties' discussions to continue.

4. To allow the parties to continue their discussions and focus their efforts on resolving this dispute amicably, they jointly ask the Court to stay the case until March 28, 2012.

Stipulated and respectfully submitted this 14th day of March, 2012.

| | |
|--|---|
| For Clearwire Corporation: | For Plaintiff: |
| DAVIS WRIGHT TREMAINE LLP | BAILLON THOME JOZWIAK MILLER & WANTA |
| By: <u>/s/ Kenneth E. Payson</u> Kenneth E. Payson (<i>admitted pro hac vice</i>) | By: <u>/s/ Bryce Miller (authorized on March 14, 2012)</u> Bryce Miller (<i>admitted pro hac vice</i>) |
| Attorneys for Defendant CLEARWIRE CORPORATION | Of Attorneys for Plaintiff SHARON NEWTON |

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ORDER

IT IS SO ORDERED.

The Court approves the parties' stipulation and STAYS this matter until March 28, 2012. At the expiration of that time the parties shall submit a joint status report describing how they propose that this matter will proceed.

DATED this 16th day of March 2012.



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

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DATED this 14th day of March, 2012.

s/ Kenneth E. Payson

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