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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KYLE DEI ROSSI and MARK LINTHICUM, on  
behalf of themselves and those similarly situated,  
  
Plaintiffs,  
  
v.  
  
WHIRLPOOL CORPORATION,  
  
Defendant.

Case No. 2:12-CV-00125-TLN-JFM

**STIPULATION AND ORDER  
EXTENDING TIME TO FILE  
PLAINTIFFS' APPLICATION FOR  
FEES AND COSTS**

Honorable Troy L. Nunley

1 WHEREAS, on June 28, 2016, this Court granted preliminary approval of the Parties' class  
2 action settlement. Dkt. No. 176.

3 WHEREAS, in the preliminary approval order, this Court observed that "the Parties reached  
4 the Settlement Agreement without reaching any agreement regarding the reasonable attorneys' fees  
5 and costs to be awarded to Class Counsel." Dkt. No. 176 at 3:25-27.

6 WHEREAS, the Parties are currently conferring in an attempt to reach an agreement  
7 regarding reasonable attorneys' fees and costs to be awarded to Class Counsel.

8 WHEREAS, although the Court did not specifically set a date for Plaintiffs' Application for  
9 Fees and Costs, the Parties' settlement agreement contemplated the following deadlines with regard  
10 to Plaintiffs' Application:

- 11 • Plaintiffs' Application for Fees and Costs: February 3, 2017
- 12 • Defendant's Opposition to Plaintiffs' Application: March 6, 2017
- 13 • Plaintiffs' Reply in Support of Plaintiffs' Application: March 27, 2017

14 WHEREAS, the Parties agree that it would serve efficiency and judicial economy if the  
15 Parties could reach an agreement on fees.

16 WHEREAS, the Parties further agree that an extension of the schedule for briefing  
17 Plaintiffs' Application for Fees and Costs would aid the Parties in their discussions regarding fees.

18 WHEREAS, the Parties' stipulation for an extension of the schedule for Plaintiffs'  
19 Application, would not affect the following upcoming deadlines:

- 20 • Claims Deadline: February 23, 2017
- 21 • Deadline to Request Exclusion, to Object to the Settlement or Amount of Fees, and  
22 to File Notice to Appear at the Fairness Hearing: March 10, 2017
- 23 • Deadline for the Claims Administrator, KCC, to Provide a List of Opt-Outs: March  
24 20, 2017
- 25 • Deadline for Class Counsel to Respond to Class Members' Objections: April 14,  
26 2017
- 27 • Deadline for the Parties' Joint Motion for Final Approval: April 14, 2017

- 1
- Fairness Hearing: May 18, 2017 at 2:00 p.m.
- 2

3 WHEREAS, in agreeing to an extension of the deadline for Plaintiffs to file their  
4 Application for Fees and Costs, the Parties confirmed that the requested extension complies with the  
5 requirements of *In re Mercury Interactive Corp. Securities Litig.*, 618 F.3d 988 (9th Cir. 2010).

6 WHEREAS, NOW, THEREFORE, the Parties stipulate to the following extended schedule  
7 for Plaintiffs' Application for Fees and Costs:

- Plaintiffs' Application for Fees and Costs: March 3, 2017
  - Defendant's Opposition to Plaintiffs' Application: April 14, 2017
  - Plaintiffs' Reply in Support of Plaintiffs' Application: May 5, 2017
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11 IT IS SO STIPULATED.

12 Dated: January 27, 2017

Respectfully submitted,

13 **BURSOR & FISHER, P.A**

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1 Dated: January 27, 2017

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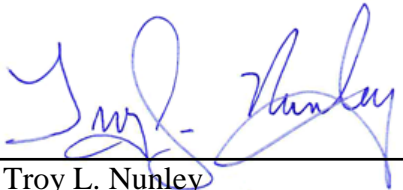
**ORDER**

Having reviewed the Parties' stipulation requesting additional time to file Plaintiffs' Application for Fees and Costs and good cause having been shown, the Parties' request is GRANTED.

- Plaintiffs' Application for Fees and Costs: March 3, 2017
- Defendant's Opposition to Plaintiffs' Application: April 14, 2017
- Plaintiffs' Reply in Support of Plaintiffs' Application: May 5, 2017

**IT IS SO ORDERED.**

Dated: January 27, 2017



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Troy L. Nunley  
United States District Judge