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 16 DEVRA KEOKONGCHACK

17 UNITED STATES DISTRICT COURT  
 18 EASTERN DISTRICT OF CALIFORNIA  
 19 SACRAMENTO DIVISION

20 DEVRA KEOKONGCHACK, individually  
 and on behalf of all others similarly  
 21 situated,  
 Plaintiffs,  
 22  
 23 v.  
 24 ADVANCED CALL CENTER  
 TECHNOLOGIES, LLC, and DOES 1-50,  
 25 inclusive,  
 Defendants.

Case No. 13cv1385 TLN (AC)

**STIPULATION AND ORDER TO STAY  
 ALL PROCEEDINGS PENDING FINAL  
 APPROVAL OF THE PROPOSED CLASS  
 ACTION SETTLEMENT IN *CARL, ET AL.  
 V. ADVANCED CALL CENTER  
 TECHNOLOGIES, LLC***

1 Plaintiff Devra Keokongchack (“Plaintiff”) and Defendant Advanced Call Center  
2 Technologies, LLC (“ACT”) (collectively “the Parties”), by and through their counsel of record,  
3 hereby stipulate and respectfully request that this action be stayed pending final approval of a  
4 proposed class action settlement in the case entitled *Shelley Carl, et al. v. Advanced Call Center*  
5 *Technologies, LLC*, Superior Court for the State of California, Sacramento County, Case No. 34-  
6 2013-00148310. The facts underlying the stipulation and request for a stay are as follows:

7 **RECITALS**

8 1. On May 8, 2013, Plaintiff filed this lawsuit as a putative class action against ACT.  
9 This lawsuit asserts claims for alleged violations of the California Labor Code and California  
10 Business & Professions Code.

11 2. On June 13, 2013, a putative class action lawsuit entitled *Quianna Ray, et al. v.*  
12 *Advanced Call Center Technologies, LLC*, U.S.D.C. Eastern District of California, Case No.  
13 13cv1472 ("*Ray*"), was filed against ACT. The *Ray* lawsuit also asserts claims for alleged violations  
14 of the California Labor Code and California Business & Professions Code.

15 3. On July 19, 2013, a putative class action lawsuit entitled *Shelley Carl, et al. v.*  
16 *Advanced Call Center Technologies, LLC*, Superior Court for the State of California, Sacramento  
17 County, Case No. 34-2013-00148310 ("*Carl*"), was filed against ACT. The *Carl* lawsuit also asserts  
18 claims for alleged violations of the California Labor Code and California Business & Professions  
19 Code.

20 4. On November 13, 2013, a private mediation was conducted with mediator Michael  
21 Dickstein to discuss a potential global resolution of *Ray, Carl*, and this lawsuit.

22 5. On April 17, 2014, following continued assistance from mediator Michael Dickstein,  
23 the named plaintiffs in all three putative class actions and ACT finalized a memorandum of  
24 understanding for a proposed class action settlement in *Carl*, subject to approval by the Sacramento  
25 Superior Court.

26 6. Although ACT has agreed to a proposed class action settlement, ACT does not admit  
27 that it engaged in any unlawful conduct. The Parties agree that the proposed class action settlement  
28 shall not be construed as an admission by ACT that it has violated any statute, law, or regulation.

1           7.       Counsel for the named plaintiffs in *Carl* has reserved a hearing date in July 2014 for a  
2 motion for preliminary approval of the proposed class action settlement.

3           8.       Plaintiff has reviewed the terms of the proposed class action settlement in *Carl* and  
4 agrees that they are fair, adequate, and reasonable. As a result, Plaintiff has opted to participate in  
5 the proposed class action settlement in *Carl* which, if approved by the Sacramento Superior Court,  
6 would resolve and release her claims against ACT that are alleged in this lawsuit.

7           9.       If, for whatever reason, the Sacramento Superior Court does not grant final approval  
8 of the proposed class action settlement in *Carl*, and therefore Plaintiff's claims are not resolved and  
9 released through the proposed class action settlement, the Parties wish to maintain the status quo in  
10 this action.

11          10.      The *Ray* action has been stayed pending final approval of the proposed class action  
12 settlement in *Carl*. See E.D. Cal. Case No. 13cv1472, April 30, 2014 Order, Doc. No. 32.

13          11.      As of the date of this stipulation, no class has been certified in this action and no  
14 notice has been sent to the putative class members.

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**STIPULATION**

Accordingly, the Parties stipulate and respectfully request that this action be stayed pending final approval of the proposed class action settlement in *Shelley Carl, et al. v. Advanced Call Center Technologies, LLC*, Superior Court for the State of California, Sacramento County, Case No. 34-2013-00148310. The Parties will file a joint statement notifying the Court of the status of the proposed class action settlement within three days of the Sacramento Superior Court's ruling on the motion for final approval.

**IT IS SO STIPULATED.**

Dated: June 2, 2014

/s/ Michael G. Leggieri  
MICHAEL E. BREWER  
MICHAEL G. LEGGIERI  
LITTLER MENDELSON, P.C.  
Attorneys for Defendant  
ADVANCED CALL CENTER  
TECHNOLOGIES, LLC

Dated: June 2, 2014

/s/ Charles A. Jones [with permission]  
CHARLES A. JONES  
JONES LAW FIRM  
Attorneys for Plaintiff  
DEVRA KEOKONGCHACK

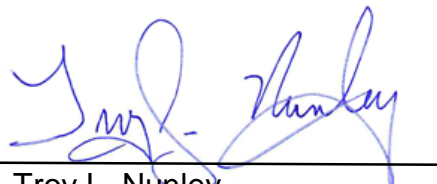
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**ORDER**

Good cause appearing, the Parties' stipulation for a stay pending final approval of the proposed class action settlement in *Shelley Carl, et al. v. Advanced Call Center Technologies, LLC*, Superior Court for the State of California, Sacramento County, Case No. 34-2013-00148310, is **GRANTED**. The Parties are directed to file a joint statement notifying the Court of the status of the proposed class action settlement within three days of the Sacramento Superior Court's ruling on the motion for final approval.

**IT IS SO ORDERED.**

Dated: June 2, 2014



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Troy L. Nunley  
United States District Judge