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[Additional Counsel on Next Page]

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

VALERIY BYKOV, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

DC TRANSPORT, INC., a California
Transport Company; DC TRANSPORT,
INC., a Texas Corporation; DC
TRANSPORTATION SERVICES, INC.
dba DC TRANSPORT state of
corporation unknown; and DOES 1 to 10
inclusive,

Defendants.

No. 2:18-cv-01691 DB

**JOINT STIPULATION
REQUESTING PRELIMINARY
APPROVAL OF CLASS
ACTION SETTLEMENT
FILING DATE; AND ORDER**

1 **MEDINA McKELVEY LLP**

2 Brandon R. McKelvey (SBN 217002)

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10 Attorneys for Defendant DC TRANSPORTATION SERVICES, INC., dba DC
11 TRANSPORT (also erroneously sued as DC Transport, a California Transport
12 Company and DC Transport, a Texas Corporation)
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1 WHEREAS, on November 12, 2018, the Parties participated in mediation and
2 reached a settlement of the matter on a classwide basis. At the conclusion of mediation,
3 the parties entered into a Memorandum of Understanding (“MOU”) which set forth the
4 basic terms of the settlement;

5 WHEREAS, on November 29, 2018, the Parties filed with this Court their
6 Stipulation for Reassignment to Magistrate Judge For All Purposes (Doc. No. 12);

7 WHEREAS, on December 12, 2018, the Court issued its Minute Order (Doc. No.
8 13) ordering Counsel to file settlement/dismissal documents no later than 30 days from
9 the date of the Minute Order;

10 WHEREAS, on December 12, 2018, the Courtroom Deputy to Honorable
11 Deborah Barnes sent an email to Plaintiff’s Counsel Jonathan Melmed and to
12 Defendant’s Counsel Timothy Nelson, wherein the Courtroom Deputy to Honorable
13 Deborah Barnes asked Counsel how much time was needed to finalize the settlement
14 documents.

15 WHEREAS, on December 12, 2018, after receiving the email from the
16 Courtroom Deputy to Honorable Deborah Barnes, both Plaintiff’s Counsel and
17 Defendant’s Counsel requested that the Parties file their settlement papers within 60
18 days (i.e. by February 10, 2019);

19 WHEREAS, the Parties are still in the process of finalizing the terms of the long-
20 form settlement agreement, and anticipate finalizing the long-form settlement
21 agreement and fully executing it within the next 10 days.

22 WHEREAS, the Parties jointly request that the Court allow the Parties until
23 February 11, 2018 to file the Motion for Preliminary Approval of Class Action
24 Settlement;

25 NOW THEREFORE, the Parties agree and hereby stipulate, subject to Court
26 approval, that (1) the long-form settlement agreement shall be finalized and fully
27 executed within the next 10 days and (2) Plaintiff shall file his Motion for Preliminary
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1 Approval on or before February 11, 2019.
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3 Dated: January 11, 2019

/s/ Timothy B. Nelson as authorized on
8/15/2018

Timothy B. Nelson, Esq.
Branson R. McKelvey, Esq.
MEDINA MCKELVEY LLP
Attorneys for Defendants

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8 Dated: January 11, 2019

/s/ Jonathan Melmed

Jonathan Melmed, Esq.
MELMED LAW GROUP P.C.
Craig J. Ackermann, Esq.
ACKERMAN & TILAJEF, P.C.
Attorneys for Plaintiff

12 **Local Rule 131 Attestation**

13 Pursuant to Local Rule 131(e), I attest that all of the signatories listed above
14 concur in this filing's contents and have authorized the filing of this document.

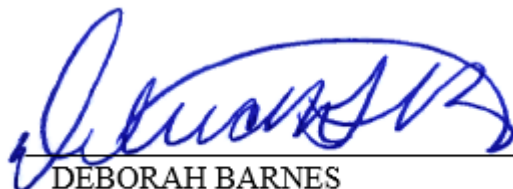
15 /s/ Jonathan Melmed

Jonathan Melmed, Esq.

17
18 **ORDER**

19 Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that plaintiff
20 shall file a motion for Preliminary Approval of Class Action Settlement on or before
21 February 11, 2019.

22 Dated: January 13, 2019

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25 DEBORAH BARNES
26 UNITED STATES MAGISTRATE JUDGE

27 DLB:6
28 DB/orders/orders.consent/bykov1691.stip.dispo.docs.ord