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17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA

20 SHIRLEY "RAE" ELLIS, et al., )  
 21 Plaintiffs, )  
 22 v. )  
 23 COSTCO WHOLESALE CORPORATION )  
 24 Defendant. )  
 25 )

Case No. C04 3341 EMC  
**[CORRECTED] STIPULATION AND  
 [PROPOSED] ORDER REGARDING  
 EXTENSION OF DEADLINES FOR  
 FILING (1) MOTION FOR  
 PRELIMINARY SETTLEMENT  
 APPROVAL AND (2) MOTION FOR  
 ATTORNEYS' FEES AND COSTS**

1 **STIPULATION**

2 On October 11, 2013, the Parties filed a joint stipulation informing the Court of their  
3 agreement on the principal terms of a proposed class settlement in this matter. (ECF No. 748.)  
4 At that time, the Parties anticipated that 60 days would be needed to prepare the final agreement,  
5 the motion for preliminary approval, and Plaintiffs' motion for reasonable attorneys' fees and  
6 costs. (*Id.*) The Court granted the Parties' stipulation on October 16, 2013, setting the deadline  
7 for filing on December 10, 2013. (ECF No. 749.)

8 On December 2, 2013, the Court's deputy instructed the parties to set the motion for  
9 preliminary approval of the settlement for hearing on February 6, 2014.

10 The Parties have worked diligently and cooperatively to prepare the final settlement  
11 agreement. Counsel are finalizing several aspects of the agreement and also in the process of  
12 conferring regarding Plaintiffs' request for attorneys' fees and costs, as required by Civil Local  
13 Rule 54-5(a). In light of the above, the Parties request that the Court move the deadline for filing  
14 the motions by one week to December 17, 2013. Because the preliminary approval motion will  
15 not be heard until February 6, 2013, modification of these deadlines will have no effect on the  
16 schedule for the case.

17 Therefore, Counsel for Plaintiffs and the Certified Classes and Defendant Costco  
18 Wholesale Corporation stipulate as follows:

- 19 1. Plaintiffs will file a motion for preliminary settlement approval and a motion for  
20 reasonable attorneys' fees and costs on or before December 17, 2013;  
21 2. The motion for preliminary settlement approval will be set for hearing on February 6,  
22 2014;  
23 3. Costco may file an opposition to Plaintiffs' motion for attorneys' fees and costs on or  
24 before January 24, 2014.  
25 4. Plaintiffs may file a reply brief in support of their motion for attorneys' fees and costs  
26 on or before February 24, 2014.



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The Court orders as follows:

**[PROPOSED] ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

1. Plaintiffs shall file a motion for preliminary settlement approval and a motion for reasonable attorneys' fees and costs on or before December 17, 2013.
2. The motion for preliminary settlement approval will be set for hearing on February 6, 2014.
3. Costco may file an opposition to Plaintiffs' motion for attorneys' fees and costs on or before January 24, 2014.
4. Plaintiffs may file a reply brief in support of their motion for attorneys' fees and costs on or before February 24, 2014. The hearing for this motion is set for March 13, 2014 at 1:30 p.m.
5. The deadlines set in the Court's Order of October 16, 2013, (ECF No. 749), are hereby vacated.

Dated: December 10, 2013

