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14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 BRIANT CHUN-HOON and CARLO
 GUGLIELMINO,

17 Plaintiffs,

18 v.

19 MCKEE FOODS CORPORATION, a
 20 Tennessee corporation; and DOES 1 through
 100, inclusive,

21 Defendants.

Case No. C05-00620 VRW

**REQUEST TO ADVANCE HEARING
 ON CALENDAR AND STIPULATION IN
 SUPPORT THEREOF**

Date: October 22, 2009
 Time: 10:00 a.m.
 Courtroom: 6, 17th Floor

Hon. Vaughn R. Walker

23 COME NOW the parties to this proceeding through their respective counsel and
 24 hereby respectfully request that the Joint Motion for Preliminary Approval of the settlement in the
 25 above matter, filed herewith, be advanced from the next regular hearing date of Thursday,
 26 October 22, 2009, at 10:00 a.m., to Thursday, September 24, 2009, at 10:00 a.m. The basis for the
 27 request is as follows:

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This is a Joint Motion to which no opposition or reply will be filed;

This motion will allow notice to the class to be issued and it is in the interests of the class members to receive the notice at their first opportunity; and

The preliminary approval of the proposed settlement will facilitate the conclusion of the matter and conclusion of the matter is in the interest of all concerned.

No previous request to advance has been made.

This request will not change the schedule for this case.

IT IS SO STIPULATED:

Dated: August ____, 2009

/s/ R. Brian Dixon
R. BRIAN DIXON
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
MCKEE FOODS CORPORATION

Dated: August ____, 2009

/s/ Kevin Eng
KEVIN ENG, ESQ.
MARKUN ZUSMAN COMPTON LLP
Attorneys for Plaintiffs
BRIANT CHUN-HOON and CARLO
GUGLIELMINO

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: August 17, 2009



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