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9 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 CORNELIUS CLARK, CHESTER LEWIS,  
 15 JOHN PONDS, AND GARRANT COSEY, on  
 behalf of themselves and all other persons  
 16 similarly situated,

17 Plaintiffs,

18 vs.

19 ANNA'S LINENS, INC.,

20 Defendant.

Case No. C05-02670-MMC

**PLAINTIFFS' STATUS CONFERENCE  
 STATEMENT AND MOTION AND  
 [PROPOSED] ORDER TO CANCEL  
 STATUS CONFERENCE SCHEDULED  
 FOR MARCH 6, 2009; ORDER CONTINUING  
 CONFERENCE**

Hon. Maxine M. Chesney

Date: March 6, 2009  
 Time: 10:30 a.m.

1 Plaintiffs Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey (“plaintiffs”) and  
2 Defendant Anna’s Linens, Inc. (“Anna’s Linens”), by and through their counsel of record, submit this  
3 Status Conference Statement and Motion and [Proposed] Order to Cancel Status Conference Scheduled  
4 for March 6, 2009.

5 Plaintiffs submit this statement to advise the Court that the settlement agreement between  
6 Anna’s Linens and the plaintiffs in this action has been fully executed. Anna’s Linens has made partial  
7 monetary payments as required by the agreement. Defense counsel, Michael Bruno, has advised  
8 plaintiffs’ counsel that he has received the funds for the final monetary payments due under the  
9 settlement agreement and that plaintiffs’ counsel will receive them via Federal Express on Friday,  
10 March 6, 2009.

11 Plaintiffs therefore request that the Court cancel the status conference currently set for March 6,  
12 2009 as plaintiffs do not require assistance from the Court to finalize the settlement. Michael Bruno  
13 has authorized me to represent that he agrees with plaintiffs’ request to cancel the status conference.

14 Plaintiffs’ counsel will seek, within seven business days of receipt of the final monetary  
15 payments, dismissal of the individual claims with prejudice and the class claims without prejudice and  
16 without notice pursuant to the terms of the settlement agreement.

17  
18 Dated: March 5, 2009

Respectfully submitted,

19 GOLDSTEIN, DEMCHAK, BALLER, BORGAN &  
20 DARDARIAN

21 /s/ Roberta L. Steele  
22 TERESA DEMCHAK (SB #123989)  
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7 ATTORNEYS FOR PLAINTIFFS


8 **PROPOSED ORDER**

9 Upon consideration of plaintiffs' motion to cancel the status conference scheduled for March 6,  
10 2009, at 10:30 a.m., defendant's agreement thereto, and the entire record in this matter,

11 Good cause having been found, the status conference scheduled for March 6, 2009 at 10:30  
12 a.m. is hereby ~~cancelled~~ continued to March 27, 2009, at 10:30 a.m.

13 IT IS SO ORDERED.

14 Dated: March 5, 2009

15   
16 Honorable Maxine Chesney  
17 United States District Court Judge