



1 THE PARTIES, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF RECORD  
2 DO HEREBY STIPULATE AND AGREE AS FOLLOWS:

3 Whereas, the parties have reached a tentative settlement of the entire action;

4 Whereas, there is currently a deadline to file a motion for attorneys' fees and costs on  
5 appeal in the District Court of September 14, 2010;

6  
7 Whereas, the parties wish to avoid incurring additional time and expense preparing and  
8 responding to a motion for appellate fees while the parties attempt to finalize a settlement of the  
9 entire action; and,

10 Whereas the parties previously stipulated to an open extension of time to file a motion for  
11 the attorneys' fees and costs incurred in the District Court before the filing of the appeal and it  
12 would conserve time to file both the motions for the fees incurred in the District Court and on  
13 appeal at the same time if such motions become necessary due to any failure to finalize a  
14 settlement of the entire action,  
15

16 THE PARTIES DO HEREBY STIPULATE AND AGREE THAT Plaintiffs shall have  
17 an open extension of time to file their motion for an award of attorneys' fees and costs on appeal.  
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19 IT IS SO STIPULATED:

20 Dated: September 1, 2010

\_\_\_\_\_/S/\_\_\_\_\_  
James B. Chanin  
Attorney for Plaintiffs

21  
22 Dated: September 1, 2010

\_\_\_\_\_/S/\_\_\_\_\_  
Randolph Hall  
Attorney for Defendants

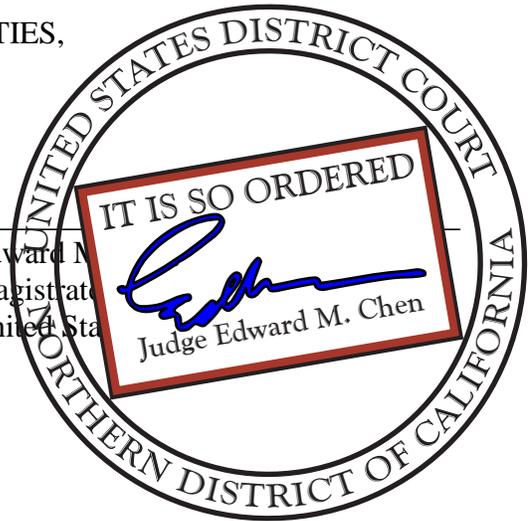
[PROPOSED] ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES,  
AND FOR GOOD CAUSE SHOWN,

IT IS SO ORDERED:

Dated: 9/3, 2010

Edward M.  
Magistrate  
United Sta



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