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15   UNITED STATES DISTRICT COURT

16   NORTHERN DISTRICT OF CALIFORNIA

17   SAN FRANCISCO DIVISION

18

19 ROYLENE RAY, KELLY CANNON,   Case No. C-06-1807 JSW EMC
    KARLA HODGES and LAKETA
20 COULTER, individually and on behalf of **STIPULATION AND [PROPOSED]
    others similarly situated,   ORDER REGARDING
21   CONFIDENTIALITY OF SETTLEMENT
                   Plaintiffs,   DISCUSSIONS IN CONNECTION WITH
22   CONTEMPLATED NOVEMBER 10, 2008
           vs.   MEDIATION**
23
    BLUEHIPPO FUNDING, LLC,   Hon. Jeffrey S. White
24 BLUEHIPPO CAPITAL, LLC and   Courtroom 2, 17th Floor
    GATEWAY, INC.,
25   Trial Date: December 14, 2009
                   Defendants.
26

27   All parties hereto, through their counsel of record , hereby stipulate and ask the Court to

28 order as follows:

_____

STIP. & [PROP] ORDER RE CONFIDENTIALITY
OF SETTLE. Case No. C-06-1807   23304\1723663.1

1   1.   The parties have scheduled a mediation for November 10, 2008 before the Hon.

2 Richard Hodge (Retired) of ADR Services, Inc.

3   2.   In order to prepare for the November 10 mediation, the parties would like the

4 flexibility of having certain settlement discussions among themselves prior to the mediation date

5 without the concern that any such discussions would be excluded from the privileges and

6 confidentiality provisions associated with a mediation, including without limitation, California

7 Evidence Code § 1115 *et seq.*

8   3.   The parties therefore stipulate that any and all discussions, whether orally or in

9 writing, concerning potential settlement of this matter prior to the date of the November 10

10 mediation shall be deemed to be protected by the same privileges and confidentiality provisions

11 as would apply had those discussions taken place during the course of an actual mediation.

12   SO STIPULATED.

13 Dated: October 7, 2008   BRAMSON, PLUTZIK, MAHLER &
                                    BIRKHAEUSER, LLP

14

15   By:_____/s/_____
                                Robert M. Bramson

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28

STIP. & [~~PROP~~] ORDER RE CONFIDENTIALITY
OF SETTLE. Case No. C-06-1807   - 1 -   23304\1723663.1

1   Dated: October 7, 2008   QUINN EMANUEL URQUHART OLIVER
                                                             & HEDGES
2

3   By:_____/s/_____
                                                              Jeffrey D. McFarland
4
                                                         Attorneys for Defendant
5   GATEWAY, INC.

6   Dated: October 7, 2008   FARELLA BRAUN & MARTEL LLP

7   I represent that concurrence in the filing of this
     document has been obtained from each of the   By:_____/s/_____
8   other signatories which shall serve in lieu of   C. Brandon Wisoff
     their signatures on this document.
9   Attorneys for Defendants
                                                         BLUEHIPPO FUNDING, LLC and
10   BLUEHIPPO CAPITAL, LLC

11   **ORDER**

12   Pursuant to the above-referenced stipulation, and for good cause shown, IT IS SO

13   ORDERED.

14   Dated: _October 8, 2008_____ _, 2008

15

16   _____
            Hon. Jeffrey S. White
17   United States District Judge

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STIP. & [PROP] ORDER RE CONFIDENTIALITY
OF SETTLE. Case No. C-06-1807   - 2 -   23304\1723663.1