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13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

16 DAVID and LISA FAIGMAN,
 17 individually and on behalf of a class of
 18 other similarly situated,
 19 **Plaintiffs,**
 20 v.
 21 AT&T MOBILITY LLC F/K/A
 CINGULAR WIRELESS LLC and DOES
 22 1 through 100, inclusive,
 23 **Defendants.**

CASE NO. 3:06cv04622 MHP

**STIPULATION REGARDING CLASS
 CERTIFICATION HEARING**

Judge: Hon. Marilyn H. Patel
 Date: December 8, 2008
 Time: 2:00 P.M.
 Ctrm: Courtroom 15, 18th Floor

24 Please take notice that after mediating with Justices Howard B. Wiener and Edward A.
 25 Panelli, the parties to this action have signed a settlement term sheet to resolve this putative class
 26 action, together with *Todd Struyk v. AT&T Mobility LLC*, 3:07-cv-1314-BEN-CAB (“Struyk”)
 27 pending in the United States District Court, Southern District of California. Assuming a
 28

1 settlement agreement can be finalized, the parties plan to file their Motion for Preliminary
2 Approval of the Proposed Class Action Settlement on or before January 12, 2009. The settlement
3 contemplates that the *Struyk* action will be stayed during the settlement approval process.

4 WHEREFORE, the parties request that this court adjourn the class certification hearing
5 scheduled for December 8, 2008.

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



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1 Dated: December 4, 2008

By: /s/ Esther L. Klisura

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*Attorneys for David Faigman and the
Proposed Class*

1 Dated: December 4, 2008

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22 *LLC f/k/a Cingular Wireless LLC*

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1 CERTIFICATE OF SERVICE

2 This is to certify that on December 4, 2008, I electronically filed the within and foregoing
3 **Stipulation** with the Clerk of Court using the CM/ECF system, which will automatically send
4 email notification of such filing to the following attorneys of record:

5 Bruce L. Simon
6 Esther L. Klisura
7 Harvey Rosenfield
8 Pamela Pressley
9 Felicia Y. Feng
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11 Nathan L. Garroway
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14 By: /s/ Nathan L. Garroway

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