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 VERIZON WIRELESS  
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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION  
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13 MICHELLE SIMS, individually, and on behalf  
 14 of a class similarly situated individuals,

15 Plaintiff,

16 v.

17 CELLCO PARTNERSHIP, d/b/a VERIZON  
 18 WIRELESS, a Delaware general partnership,

19 Defendant.

Case No. 07-1510 MC

[Hon. Maxine Chesney]

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE CASE  
 MANAGEMENT CONFERENCE  
 PENDING SETTLEMENT**

AND SCHEDULING ORDER

Complaint Filed: March 15, 2007

1           WHEREAS, pursuant the parties' prior stipulation and the Court's Order, Defendant  
2 answered Plaintiff's Complaint on November 5, 2007;

3           WHEREAS, pursuant to the parties' prior stipulation and the Court's Order, a Case  
4 Management Conference is scheduled for January 16, 2009;

5           WHEREAS, on February 25, 2008, the parties participated in a mediation before Judge  
6 Infante of JAMS, in San Francisco, California;

7           WHEREAS, as a result of the mediation, the parties have prepared and executed a  
8 comprehensive settlement agreement;

9           WHEREAS, preliminary approval papers for the settlement have been prepared and have  
10 been withheld from filing awaiting a determination by the Hon. William Cahill (Ret.) as to the  
11 attorneys' fees and expenses to be paid under the settlement (under the terms of the settlement  
12 agreement, neither side can contest that decision, but it must be approved by the Court), the  
13 parties propose to file preliminary approval papers by January 23, 2009, and to set a preliminary  
14 approval hearing on January 30, 2009.

15           IT IS HEREBY STIPULATED AND AGREED pursuant to Northern District Local Rules  
16 6-2(a), 7-12, and 16-2(e), that: (a) the Case Management Conference currently scheduled for  
17 January 16, 2009, shall be vacated; (b) Plaintiff shall file a motion for preliminary approval by  
18 January 23, 2009; and (c) the Court shall hear the motion for preliminary approval on January 30,  
19 2009, or such other date that the Court finds convenient.

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SO STIPULATED.

Dated: January 13, 2009

MORRISON & FOERSTER LLP

By:           /s/ Penelope Preovolos            
Penelope Preovolos

Attorneys for Defendant  
VERIZON WIRELESS

Dated: January 13, 2009

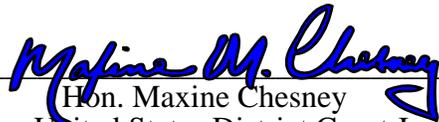
KAMBEREDELSON, LLC

By:           /s/ Jay Edelson            
Jay Edelson

Attorneys for Plaintiff  
MICHELLE SIMS

**PURSUANT TO STIPULATION, IT IS SO ORDERED,** with the exception that plaintiff shall notice the motion for preliminary approval for hearing on February 6, 2009.

Dated: January 14, 2009

  
\_\_\_\_\_  
Hon. Maxine Chesney  
United States District Court Judge

GENERAL ORDER 45 ATTESTATION

I, Penelope A. Preovolos, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order to Continue Case Management Conference. In compliance with General Order 45, I hereby attest that Jay Edelson of KamberEdelson has concurred in this filing.

MORRISON & FOERSTER LLP

By:           /s/ Penelope Preovolos            
Penelope Preovolos

Attorneys for Defendant  
VERIZON WIRELESS