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Attorneys for Individual and Representative  
Plaintiffs Clarke and Rebecca Wixon and  
Norman and Barbara Wixon

[Additional counsel appear on signature page]

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

Clarke and Rebecca Wixon and Norman  
and Barbara Wixon, derivatively and on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

Wyndham Resort Development Corp. (f/k/a  
Trendwest Resorts, Inc.), Gene Hensley, David  
Herrick, John Henley, Peggy Fry and John  
McConnell, and nominally, WorldMark, The  
Club,

Defendants.

Case No. C 07-02361 JSW (BZ)

**STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING TIME TO FILE  
STATEMENT OF EXPENSES AND  
OBJECTIONS**

**CLASS AND DERIVATIVE ACTION**

1 WHEREAS the parties currently have scheduled a mediation session before the Honorable  
2 William J. Cahill (Ret.) of JAMS for November 11, 2009, pending orders on the motions for class  
3 certification and regarding Plaintiffs' adequacy as Rule 23.1 representatives; and

4 WHEREAS Plaintiffs Clarke and Rebecca Wixon and Norman and Barbara Wixon  
5 (collectively, "Plaintiffs") and Defendant Wyndham Resort Development Corporation ("Wyndham")  
6 have conferred and agreed, subject to the approval of the Court, to defer the filing of Plaintiffs'  
7 statement of expenses and any objections by Wyndham thereto, described in the Court's September 21,  
8 2009 order (Dkt. No. 417), pending the outcome of the mediation;

9 IT IS HEREBY STIPULATED by and between Plaintiffs and Wyndham, by and through their  
10 respective counsel, that Plaintiffs' statement of expenses shall be filed no later than 21 days after the  
11 conclusion of the mediation process and that any objections by Wyndham shall be filed no later than 10  
12 days after the filing of Plaintiffs' statement.

13 Dated: October 7, 2009

14 Respectfully submitted,

15 **GIRARD GIBBS LLP**

16 By: /s/ Jonathan K. Levine  
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*Attorneys for Individual and Representative Plaintiffs  
Clarke and Rebecca Wixon and Norman and Barbara  
Wixon*

1 Dated: October 7, 2009

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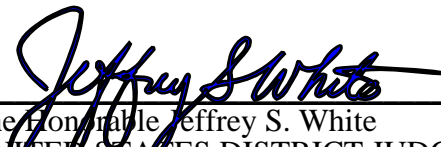
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*Attorneys for Defendant Wyndham Resort  
Development Corporation*

**ORDER**

17  
18  
19 IT IS SO ORDERED.

20  
21 DATED: October 8, 2009

  
22 The Honorable Jeffrey S. White  
23 UNITED STATES DISTRICT JUDGE