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18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 JAMES BRADY, SARAH CAVANAGH, and )  
 21 IVA CHIU, individually and on behalf of all )  
 22 others similarly situated, )  
 23 Plaintiffs, )  
 24 vs. )  
 25 DELOITTE & TOUCHE LLP, a limited liability )  
 26 partnership; and DOES 1-10, inclusive, )  
 27 Defendants )

**CASE NO.: C-08-00177 SI**  
**STIPULATION AND [PROPOSED]**  
**ORDER FOR SUPPLEMENTAL CLASS**  
**NOTICE**

1 **STIPULATION**

2 Pursuant to Local Rule 7-12, Plaintiffs and Defendant, through their respective counsel,  
3 submit the following stipulation and [proposed] order for the Parties to mail a supplemental Class  
4 Notice to class members who have become part of the class since the prior Class Notice and to set a  
5 deadline for such class members to opt out.

6 WHEREAS at the April 2, 2010 Case Management Conference the Court approved the  
7 Parties’ proposed class notice (“Class Notice”), ordered the Parties to mail the Class Notice to class  
8 members by May 14, 2010, and set June 30, 2010 as the deadline for class members to opt out; and  
9 the Class Notice was mailed to class members as ordered;

10 WHEREAS on July 13, 2010, the Court entered a stipulated order providing that additional  
11 class members who inadvertently were not mailed a class notice on May 14, 2010 be mailed a class  
12 notice in the form of the Class Notice, but with an opt out deadline of September 1, 2010; and the  
13 Class Notice was mailed to such class members as ordered;

14 WHEREAS at the request of Plaintiffs, Defendant has updated the list of class members to  
15 include 245 individuals who have become members of the class since the cut-off date used for the  
16 prior Class Notice mailings (“Additional Class Members”); and the Parties agree that the Additional  
17 Class Members should be mailed a class notice in the form of the Class Notice, but with an opt out  
18 deadline of July 1, 2011, to provide the Additional Class Members with an amount of time to  
19 consider the Class Notice and to elect to opt out that is comparable to what was provided to other  
20 class members pursuant to the prior Class Notice mailings.

21 NOW THEREFORE, the parties hereby stipulate that the Court may enter an Order as  
22 follows:

- 23 1. The deadline for mailing class notices to the Additional Class Members shall be  
24 no later than May 17, 2011;
- 25 2. The opt out deadline for the Additional Class Members shall be July 1, 2011;
- 26 3. The Class Notice shall be modified to reflect the new opt out deadline of July 1,  
27 2011, for Additional Class Members, but otherwise shall remain identical to the Class Notice

1 previously approved by the Court.

2 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

3  
4 COUNSEL FOR PLAINTIFFS

5 DATE: May 5, 2011

6 By: /s/ William A. Baird  
7 WILLIAM A. BAIRD  
8 JEFFREY K. COMPTON  
9 Markun Zusman & Compton LLP  
10 STEVE ELSTER  
11 Law Office of Steve Elster

12  
13 COUNSEL FOR DEFENDANTS

14 DATE: May 5, 2011

15 By: /s/ James E. Boddy, Jr.  
16 LINDA E. SHOSTAK  
17 JAMES E. BODDY, JR.  
18 Morrison & Foerster LLP

19  
20  
21 **ECF CERTIFICATION**

22 I hereby attest that I have obtained concurrence regarding the filing of this document from  
23 each of the signatories within the e-filed document.

24 DATE: May 5, 2011

25 By: /s/ James E. Boddy, Jr.  
26 James E. Boddy, Jr.

27  
28 **ORDER**

29 PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO  
30 ORDERED.

31 DATED: 5/6/11

32  
33   
34  
35 Honorable Susan Illston  
36 United States District Court Judge