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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16	TIM O'NEILL, an individual; on behalf of)	Case No. CV08-4107 SI
	himself and all others similarly situated,)	
17)	STIPULATION AND PROPOSED
	Plaintiff,)	ORDER TO CONTINUE JANUARY 15,
18)	2010 CASE MANAGEMENT
	v.)	CONFERENCE
19)	
	GENESIS LOGISTICS, INC. and DOES 1)	Judge: Honorable Susan Illston
20	through 10, inclusive)	Ctrm: 10, 19th floor
)	Date/Time: 1/15/10, 2:30 PM
21	Defendants.)	
22)	

23 **WHEREAS** on December 3, 2010 the parties participated in an early mediation before
 24 Mediator Jeffrey Krivis in Los Angeles, California;

25 **WHEREAS** the matter was not settled at the mediation but the parties continued
 26 settlement discussions with Mr. Krivis until December 22, 2009;

1 **WHEREAS** on December 22, 2009, the parties agreed to settle the class claims and as
2 part of the settlement, on December 23, 2009, plaintiff notified the Labor and Workforce
3 Development Agency of the existence of a Private Attorney General Act claim;

4 **WHEREAS** the parties are preparing a joint motion: (1) provisionally certifying a
5 settlement class, (2) preliminarily approving class settlement, (3) directing distribution of notice
6 of settlement and opportunity to opt out, and (4) setting a hearing for final approval of the
7 proposed settlement agreement; as well as preparing a proposed notice of settlement, proposed
8 instructions, and claim form for Court approval;

9 **IT IS HEREBY STIPULATED:**

10 The January 15, 2010 Case Management Conference is continued so the parties can
11 negotiate, prepare and submit the above-mentioned class settlement documents for Court
12 approval and finalize settlement.

13
14 DATED: January 6, 2010

RAO ONGARO LLP

15 By _____/s/
16 Anthony J. Rao

17 Attorneys for Defendant
GENESIS LOGISTICS, INC.

18 DATED: January 6, 2010

LAW OFFICES OF SHAUN SETARAH

19
20 By _____/s/
Shaun Setarah

21 Attorneys for Plaintiff
22 TIM O'NEILL on behalf of himself and all others
23 similarly situated

24 **FOR GOOD CAUSE, THE FOREGOING STIPULATION IS APPROVED AND IS SO**

25 **ORDERED.** The Court continues the Case Management Conference to

26 February 26, 2010, at 2:30 a.m.



27 DATED: _____

28 _____
Honorable Susan Illston