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7 Attorneys for Defendant
 Vector Marketing Corporation

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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 ALICIA HARRIS, as an individual and on
 behalf of all others similarly situated,

12 Plaintiffs,

13 vs.

14 VECTOR MARKETING
 15 CORPORATION, a Pennsylvania
 corporation; and DOES 1 through 20,
 16 inclusive,

17 Defendants.

No.: CV 08-5198 EMC

**JOINT STIPULATION AND
 [PROPOSED] ORDER RE:
 ATTENDANCE OF PARTIES AT
 SETTLEMENT CONFERENCE**

Complaint Filed: October 15, 2008
 Trial Date: Vacated

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 A limited liability partnership formed in the State of Delaware

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1 Plaintiff Alicia Harris (“Plaintiff” or “Harris”) and Defendant Vector Marketing
 2 Corporation (“Defendant” or “Vector”) (collectively referred to as the “Parties”) enter
 3 into this joint stipulation with reference to the following facts:

4 **RECITALS**

5 WHEREAS, on March 10, 2011, the Parties entered into a settlement of class
 6 action claims following a mediation with mediator Anthony Piazza;

7 WHEREAS, on March 29, 2011, Plaintiff filed a motion for preliminary
 8 approval of class action settlement (*see* docket no. 450);

9 WHEREAS, on April 29, 2011, the Honorable Edward M. Chen granted
 10 Plaintiff’s motion for preliminary approval of the proposed class action settlement
 11 (*see* docket no. 466);

12 WHEREAS, on July 20, 2011, Plaintiff filed a motion for final approval of
 13 class action settlement and for an award of costs and fees (*see* docket no. 476);

14 WHEREAS, on August 10, 2011, the Honorable Edward M. Chen indicated, at
 15 the hearing on Plaintiff’s motion for final approval of the class action settlement, that
 16 he would grant final approval of the class action settlement;

17 WHEREAS, on October 12, 2011, the Honorable Edward M. Chen issued an
 18 order denying final approval of the class action settlement due to the district court’s
 19 interpretation of recent case law, specifically, *In re Bluetooth Headset Products*
 20 *Liability Litigation*, No. 09-56683, 2011 U.S. App. LEXIS 17224 (9th Cir. Aug. 19,
 21 2011) (*see* docket no. 495);

22 WHEREAS, on October 28, 2011, the parties and Judge Chen held a lengthy
 23 Status Conference, during which they thoroughly explored the parameters of an
 24 acceptable settlement structure;

25 WHEREAS, the Parties believe that a settlement in this action after more than
 26 three years of contentious and hard fought litigation is in the best interests of the
 27 Parties and, as a result, have elected to continue settlement discussions with the
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ORDER

Based on the above stipulation, IT IS SO ORDERED that the Court’s Notice of Settlement Conference and Order Setting Settlement Conference (*see* docket no. 499) is modified to relieve named Plaintiff Alicia N. Harris and Vector’s corporate representative of any personal appearance at the settlement conference set for December 5, 2011, but that both Parties shall be available via teleconference, as necessary, at all times during the pendency of the settlement conference.

Dated: November_28 2011

United States
Hon. Joseph C. Spero
Magistrate Judge
United States District Court
Northern District of California
Judge Joseph C. Spero

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