

1 HAGENS BERMAN SOBOL SHAPIRO LLP
1918 Eighth Avenue, Suite 3300
2 Seattle, WA 98101
Telephone: 206.623.7292
3 Facsimile: 206.623.0594

K&L GATES LLP
Four Embarcadero Center, Suite 1200
San Francisco, CA 94111-5994
Telephone: 415.882.8200
Facsimile: 415.822-8220

4 Steve W. Berman (*pro hac vice*)
steve@hbsslaw.com
5 Robert F. Lopez (*pro hac vice*)
robl@hbsslaw.com

Patrick J. Perrone (*pro hac vice*)
patrick.perrone@klgates.com

Attorneys for Defendant Trex Company, Inc.

6 *Attorneys for Select Plaintiffs and Lead Counsel*
7 *for the Proposed Class*

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 DEAN MAHAN, GRETCHEN SILVERMAN,
STEVEN MCKENNA, THOMAS
13 SCHAUPPNER, MARJORIE ZACHWIEJA,
JOHN FORCELLA, SHEILA SHAPIRO,
14 SABRINA W. HASS and DR. LANNY W.
HASS, AMY BIONDI-HUFFMAN, and BRIAN
15 HATHAWAY, on behalf of themselves and all
others similarly situated,

Case No. CV 09-00670-JSW

**STIPULATION AND ~~PROPOSED~~
ORDER RE: HEARING DATE FOR
MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT**

16 Plaintiffs,

17 vs.

18 TREX COMPANY, INC., a Delaware
19 corporation,

20 Defendant.
21

22 On April 5, 2013, Plaintiffs filed a Motion for Preliminary Approval of Class Settlement,
23 Provisional Certification of Settlement Class, and Appointment of Class Representatives and Class
24 Counsel. (Docket Entry #258). The hearing on the motion was originally scheduled for May 31,
25 2013. (*Id.*). On May 28, 2013, the Court issued an Order Regarding Motion for Preliminary
26 Approval of Class Action Settlement requesting that the parties submit additional information as set
27 forth in the Order. (Docket Entry #276). The Court also rescheduled the hearing on the motion for
28 July 26, 2013. (*Id.*). Defendant Trex Company, Inc. (“Trex”) respectfully requests, with the consent

1 of counsel for Plaintiffs, that the hearing be adjourned until August 16, 2013. General Counsel for
2 Trex, William R. Gupp, is unavailable on July 26, 2013, and is not otherwise available until after
3 August 13, 2013, due to previously scheduled vacation as well as a meeting of the Trex Board of
4 Directors.

5 In light of the foregoing, Trex asks respectfully that the hearing for the Motion for
6 Preliminary Approval of Class Settlement, Provisional Certification of Settlement Class, and
7 Appointment of Class Representative and Class Counsel be adjourned to August 16, 2013.

8 DATED: June 6, 2013

K&L GATES LLP

9 By: /s/ Patrick J. Perrone
10 Patrick J. Perrone

11 *Attorneys for Defendant Trex Company, Inc.*

12 DATED: June 6, 2013

HAGENS BERMAN SOBOL SHAPIRO LLP

13 By /s/ Robert F. Lopez
14 Steve W. Berman
15 Robert F. Lopez

16 *Attorneys for Select Plaintiffs and Lead Counsel*
17 *for the Proposed Class*
18
19
20
21
22
23
24
25
26
27
28

~~[PROPOSED]~~ ORDER

The foregoing Stipulation having been reviewed, and good cause appearing therefor, the requested adjournment of the hearing on the motion for preliminary approval of settlement is hereby ORDERED and approved, and the hearing is scheduled for August ²³~~16~~, 2013, at 9:00am.

Dated: June 10, 2013



Honorable Jeffrey S. White
United States District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28