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15
16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

18 LORA AND CLAY WOLPH, on behalf of
themselves and all others similarly situated,
19
20 Plaintiffs,
21
22 vs.
ACER AMERICA CORPORATION, a
California corporation,
23
24 Defendant.

CASE NO. CV-09-01314 JSW
CLASS ACTION
**JOINT STIPULATION AND [~~PROPOSED~~]
ORDER TO CONTINUE NOTICE TO
THE CLASS**

PEARSON, SIMON, WARSHAW & PENNY, LLP
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1 Plaintiffs Lora and Clay Wolph (“Plaintiffs”) and Defendant Acer America Corporation
2 (“Defendant”) hereby enter the following Joint Stipulation and [Proposed] Order to Continue
3 Notice to the Class:

4 WHEREAS June 13, 2012 the Court entered an Order Granting Plaintiffs’ Class Notice
5 Plan (Docket No. 160) (“Notice Order”);

6 WHEREAS the Notice Order calls for the notice to the class to commence by no later than
7 Friday, July 13, 2012;

8 WHEREAS the parties are currently engaged in settlement negotiations and seek
9 additional time to attempt to resolve this lawsuit prior to distributing notice to the Class;

10 WHEREAS the settlement of this class action lawsuit will require notice to the class that
11 supersedes the terms of the Notice Order;

12 WHEREAS in light of the parties’ settlement discussions, proceeding with notice to the
13 class pursuant to the Notice Order is likely to result in undue burden and expense to the parties
14 and confusion to the class members.

15 THE PARTIES STIPULATE AND AGREE AS FOLLOWS:

16 1. The deadline to distribute notice to the class and each of the deadlines set forth in
17 the Order Granting Plaintiffs’ Class Notice Plan dated June 13, 2012 shall be continued for a
18 period not to exceed thirty (30) days.

19 **IT IS SO STIPULATED**

20 DATED: July 10, 2012

/s/ Daniel L. Warshaw

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Attorneys for Plaintiffs and the Proposed Class

Pursuant to General Order 45, I, Daniel L. Warshaw, attest that James J. Scheske has provided his authority and concurrence to file the instant document and place his electronic signature on the document, as set forth below.

DATED: July 10, 2012

/s/ James J. Scheske
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Attorneys for Defendant Acer America Corporation

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 11, 2012 _____



Honorable Jeffrey S. White
UNITED STATES DISTRICT COURT

PEARSON, SIMON, WARSHAW & PENNY, LLP
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