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15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**

17 GARY MINOR and BANIPAL SHABAZ, as
 individuals and on behalf of all others similarly
 18 situated,
 19 Plaintiffs,
 20 vs.
 21 FEDEX OFFICE AND PRINT SERVICES,
 INC., a corporation,
 22 Defendant.

CASE NO. C 09-01375 TEH

**NOTICE OF SETTLEMENT; JOINT
 STIPULATION AND [PROPOSED] ORDER
 TO VACATE CASE MANAGEMENT
 CONFERENCE AND SET DEADLINE FOR
 PLAINTIFFS' FILING FOR PRELIMINARY
 APPROVAL OF CLASS ACTION
 SETTLEMENT**

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34 Attorneys for Plaintiffs Gary Minor, Banipal
35 Shabaz, Narek Eloyan, Shehan Bederian,
36 and Michael Macias

1 **STIPULATION**

2 Plaintiffs Gary Minor, Banipal Shabaz, Narek Eloyan, Shehan Bederian and Michael
3 Macias (collectively “Plaintiffs”) and Defendant FedEx Office and Print Services, Inc. (“Defendant”)
4 (collectively “the Parties”), stipulate and agree as follows:

5 **WHEREAS**, on December 12, 2011 the Parties had a full day mediation session with
6 private mediator Michael Dickstein, Esq. in San Francisco, California, at which the Parties were not
7 able to settle the case but agreed to continue settlement discussions;

8 **WHEREAS**, the Parties since the last mediation session continued settlement
9 discussions through mediator Dickstein as well as through direct discussions;

10 **WHEREAS**, on April 11, 2012, the Parties reached a settlement in principle in this
11 matter based on the general terms discussed at the mediation and based on further discussions and
12 proposals made by the Parties and by mediator Dickstein and have executed a binding Memorandum
13 of Understanding resolving this matter on a class-wide basis;

14 **WHEREAS**, this case currently is scheduled for a Case Management Conference on
15 April 16, 2012 (“the Case Management Conference”);

16 **WHEREAS**, the Parties previously requested and were granted an extension of the
17 Case Management Conference to allow for settlement discussions to take place including the
18 December 12, 2011 mediation, which has now resulted in the settlement of this matter;

19 **WHEREAS**, the Parties, accordingly, believe it would conserve judicial resources and
20 promote efficiency to vacate the Case Management Conference in light of the resolution of this case;

21 **WHEREAS**, the Parties have agreed that Plaintiffs’ Motion for Preliminary Approval
22 Class Action Settlement shall be filed on or before August 1, 2012, and shall be set for hearing in
23 accord with the Local Rules and based on the availability of the Court;

24 **WHEREAS**, there is no trial date set for this case;

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1 **IT IS HEREBY STIPULATED** by the Parties herein, through their counsel of record,
2 as follows:

3 The Case Management Conference shall be vacated and Plaintiffs' Motion for
4 Preliminary Approval of Class Action Settlement shall be filed on or before August 1, 2012.

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6 DATED: April 12, 2012 LAW OFFICES OF PETER M. HART

7
8 By: /s/ Amber S. Healy
9 Peter M. Hart
10 Amber S. Healy
11 Attorney for Plaintiffs

12 DATED: April 12, 2012 OGLETREE, DEAKINS, NASH, SMOAK &
13 STEWART, P.C.

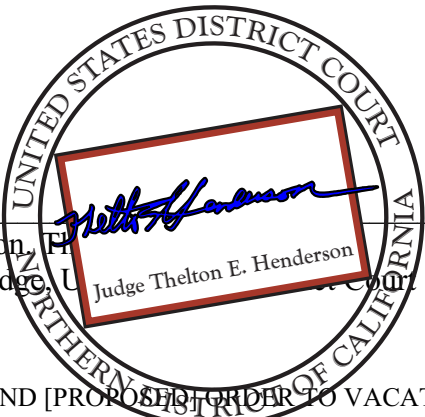
14 By: /s/ Thomas McInerney
15 Thomas McInerney
16 Gregory C. Cheng
17 Attorneys for Defendant FEDEX OFFICE AND
18 PRINT SERVICES, INC

19
20 **~~PROPOSED~~ ORDER**

21 The parties having so stipulated, and GOOD CAUSE APPEARING THEREFORE, IT
22 IS HEREBY ORDERED that:

23 The Case Management Conference set for April 16, 2012, at 1:30 p.m. is VACATED.
24 Plaintiffs' shall file their Motion for Preliminary Approval for Class Action Settlement
25 on or before August 1, 2012.

26 DATED: 04/16/2012

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Hon. Thelton E. Henderson
Judge U.S. District Court
Northern District of California