

E-Filed 10/6/10

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 14 MAHBOD KHALILPOUR
 and Plaintiff Class

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

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 20 MAHBOD KHALILPOUR, on behalf of himself
 21 and all others similarly situated,

22 Plaintiffs,

23 v.

24 CELLCO PARTNERSHIP d/b/a VERIZON
 WIRELESS; and DOES 1 through 10, inclusive,

25 Defendants.

Case No. C 09-02712 RS

STIPULATION AND
~~**PROPOSED**~~ **ORDER**
AS MODIFIED BY THE COURT

1 WHEREAS, on August 25, 2010, the parties informed the Court that they had reached a
2 settlement on a class-wide basis in the above-entitled matter;

3 WHEREAS, on August 25, 2010, the Court issued a standby order requiring the parties to
4 file a stipulation of dismissal by October 28, 2010, or, if the statement is not filed by that date,
5 ordering the parties to appear on November 4, 2010 to show cause why the case should not be
6 dismissed;

7 WHEREAS, Plaintiff is in the process of engaging in confirmatory discovery regarding
8 the terms of the class action settlement;

9 WHEREAS, the parties are in the process of completing the documentation required for a
10 class action settlement;

11 WHEREAS, the parties anticipate that completion of confirmatory discovery and
12 settlement documentation will require three to four months;

13 WHEREAS, once the confirmatory discovery and settlement documentation are
14 complete, Plaintiff will file a motion for preliminary approval of the class action settlement;

15 WHEREAS, the parties agree that the motion for preliminary approval shall be filed no
16 later than January 13, 2011;

17 WHEREAS, the parties agree that, subject to the Court's approval, the deadline to file a
18 stipulation of dismissal and the order to show cause hearing shall be moved from October 28,
19 2010 and November 4, 2010, respectfully, to dates following Plaintiff's filing of the motion for
20 preliminary approval of class action settlement and motion for final approval of class action
21 settlement;

22 THEREFORE, it is hereby stipulated and agreed to by and between the parties, through
23 their counsel of record, that the deadline for Plaintiff to file a motion for preliminary approval of
24 class action settlement shall be January 13, 2011, and the deadline to file a stipulation of
25 dismissal and the order to show cause hearing shall be ~~moved from October 28, 2010 and~~
26 ~~November 4, 2010~~ to future dates following Plaintiff's submission of the motion for preliminary
27 approval of class action settlement and motion for final approval of class action settlement.
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DATED: October 5, 2010

ONGARO BURTT & LOUDERBACK LLP

By: /s/ Amelia D. Winchester
Amelia D. Winchester

Attorneys for Plaintiff
MAHBOD KHALILPOUR

DATED: October 5, 2010

MORRISON & FOERSTER LLP

By: /s/ Penelope Preovolos
Penelope Preovolos

Attorneys for Defendant
CELLCO PARTNERSHIP d/b/a Verizon Wireless

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/5/10

By: 
United States District Judge

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