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10 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT
 12
 13 NORTHERN DISTRICT OF CALIFORNIA

14 MARY JANE YAKAS, on Behalf of Herself)	No. 09-cv-02964-WHA
and All Others Similarly Situated,)	
15)	<u>CLASS ACTION</u>
Plaintiff,)	
16)	
vs.)	STIPULATION AND PROPOSED ORDER
17)	CONTINUING SETTLEMENT
CHASE MANHATTAN BANK USA, N.A.,)	CONFERENCE
Predecessors, Successors, and Subsidiaries, and)	
18 DOES 1-100, Names and Addresses Currently)	NO HEARING DATE
Unknown,)	
19)	
Defendants.)	
20)	

21
22 WHEREAS, on October 15, 2009, this Court issued an order in the above-captioned action
23 referring this matter to Magistrate Judge Joseph C. Spero for Mediation/Settlement.

24 WHEREAS, on October 15, 2009, at a hearing before this Court, Judge William Alsup
25 expressed his admonition that no settlement discussions be held prior to the class certification
26 hearing.

27 WHEREAS, on October 15, 2009, this Court issued an order scheduling any motion for class
28 certification to be filed by March 25, 2010, on a normal 35-day briefing track.

1 WHEREAS, on October 28, 2009, Magistrate Judge Joseph C. Spero issued an order setting
2 a Settlement Conference for June 2, 2010, approximately five weeks after the anticipated April 29,
3 2010, hearing date for Plaintiff's motion for class certification.

4 WHEREAS, on April 1, 2010, this Court issued an order scheduling the hearing on
5 Plaintiff's motion for class certification for May 13, 2010.

6 WHEREAS, on April 13, 2010, this Court issued an order denying Defendant's motion to
7 stay all proceedings until after the Judicial Panel on Multidistrict Litigation determines whether to
8 transfer this case and rescheduled the hearing on Plaintiff's motion for class certification to June 10,
9 2010.

10 WHEREAS, counsel for Plaintiff and Defendant respectfully submit that good cause exists to
11 vacate the existing June 2, 2010, Settlement Conference until such time as the Court has the
12 opportunity to rule on Plaintiff's motion for class certification.

13 IT IS ACCORDINGLY STIPULATED, pursuant to Civil L.R. 7-12, by and between
14 undersigned counsel for the parties, that the Settlement Conference scheduled for June 2, 2010, be
15 vacated and rescheduled for a date that is not less than 30 days after the Court's ruling on Plaintiff's
16 motion for class certification, or such other time as the Court shall determine to be appropriate.

17 DATED: May 19, 2010

Respectfully submitted,

LANDSKRONER • GRIECO • MADDEN, LLC

s/Jack Landskroner

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Admitted *Pro Hac Vice*

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: May 20, 2010.

The Honorable William Alsup
Judge of the Court

