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14 Attorneys for Plaintiffs ELAINE SABATINO, ET AL.

15 UNITED STATES DISTRICT COURT  
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 ELAINE SABATINO, BETTY MATHIAS, and  
 MARGOT REEMTS, individually and on behalf  
 19 of all others similarly situated,

20 Plaintiffs,

21 v.

22 WEIGHT WATCHERS NORTH AMERICA,  
 INC.,

24 Defendants.

CASE NO. CV 09-4926 TEH

**JOINT STIPULATION AND ~~PROPOSED~~  
 ORDER AMENDING CASE  
 MANAGEMENT SCHEDULE**

1 WHEREAS, on July 8, 2010, this Court entered an order in which the parties were directed to  
2 complete private mediation no later than October 6, 2010 (the “ADR Completion Deadline”) and in  
3 which a telephonic Case Management Conference was scheduled for 1:30 p.m. on October 18, 2010,  
4 following the ADR Completion Deadline (Dkt. #25);

5 WHEREAS, on October 6, 2010, the parties reached an agreement in principle to settle the  
6 instant matter in its entirety and signed a short Memorandum of Understanding setting forth the basic  
7 points of the settlement in summary fashion and are currently working to jointly draft a formal  
8 stipulation of settlement and preliminary approval papers for filing with the Court;

9 WHEREAS, on October 12, 2010 the parties filed a Joint Case Management Conference  
10 Statement informing the Court that they were discussing possible filing and hearing dates for the  
11 anticipated motion seeking an order from the Court conditionally certifying a settlement class and  
12 preliminarily approving a proposed class action settlement (“Motion for Preliminary Approval”) and  
13 would further advise the Court by October 15, 2010;

14 WHEREAS, the parties have agreed to a schedule under which the Motion for Preliminary  
15 Approval would be filed no later than November 23, 2010 and heard on December 13, 2010, subject  
16 to the Court’s availability;

17 WHEREAS, the parties agree, subject to the approval of the Court, that the telephonic Case  
18 Management Conference originally scheduled for October 18, 2010 should no longer be necessary;  
19 and,

20 WHEREAS, in light of these case developments, the parties hereby stipulate and agree as  
21 follows, subject to the Court’s approval:

22 (i) The telephonic Case Management Conference scheduled for October 18, 2010 at 1:30  
23 p.m. is hereby **VACATED**.

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**ECF ATTESTATION**

Pursuant to Local ECF Rules, I hereby attest that concurrence in the filing of this document has been obtained from the non-filing signatories.

Executed this 15th day of October, 2010, at San Francisco, California.

/s/ Kenneth J. Sugarman  
KENNETH J. SUGARMAN