

1 Todd M. Schneider (CA Bar No. 158253)  
 Carolyn H. Cottrell (CA Bar No. 166977)  
 2 W.H. "Hank" Willson, IV (CA Bar No. 233321)  
 SCHNEIDER WALLACE  
 3 COTTRELL BRAYTON KONECKY LLP  
 4 180 Montgomery Street, Suite 2000  
 San Francisco, California 94104  
 5 Tel: (415) 421-7100  
 Fax: (415) 421-7105  
 6 TTY: (415) 421-1665

7 Shanon J. Carson  
 8 BERGER & MONTAGUE, P.C.  
 1622 Locust Street  
 9 Philadelphia, Pennsylvania 19103  
 Tel: (215) 875-4656  
 10 Fax: (215) 875-4604

11 Attorneys for Plaintiff Matthew Ozga and others  
 12 similarly situated

13  
 14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**

17 MATTHEW OZGA, on his own behalf  
 18 individually and on behalf of others similarly  
 situated,

19 Plaintiffs,

20 vs.

21 U.S. REMODELERS, INC., U.S.  
 22 REMODELERS, INC. dba U.S. HOME  
 SERVICES, and DOES 1-25, inclusive,

23 Defendants.  
 24

Case No. 3:09-cv-05112 JSW

**JOINT STIPULATION AND [proposed]  
 ORDER TO CONTINUE HEARING ON  
 MOTION TO REMAND AND INITIAL  
 CASE MANAGEMENT CONFERENCE**

**STIPULATION**

In its Order of December 1, 2009, this Court set an initial Case Management Conference (“CMC”) for February 5, 2010, with a Joint CMC Statement to be filed five court days before that date. In addition, Plaintiff’s Motion to Remand is currently set for hearing on February 5, 2010. In the meantime, the parties have reached a class-wide settlement of this case. In light of the settlement, and in order to avoid the unnecessary expenditure of the time and resources of this Court and the parties, the parties hereby stipulate and request that this Court continue the initial CMC and the hearing until March 5, 2010, or such later date as the Court is available, to provide the parties sufficient time to prepare and file a Motion for Preliminary Approval of the settlement.

Date: January 22, 2010

Respectfully submitted,

SCHNEIDER WALLACE  
COTTRELL BRAYTON  
KONECKY LLP

BERGER & MONTAGUE, P.C.

/s/ Hank Willson  
Hank Willson  
Counsel for Plaintiff

Date: January 22, 2010

LANDEGGER, BARON LAVENANT &  
INGBER

/s/ Oscar Rivas  
Oscar Rivas  
Counsel for Defendant

**ORDER**

In light of the parties’ Stipulation, and for good cause shown, this Court hereby ORDERS that the initial CMC and the hearing on the Motion to Remand are continued until March 5, 2010 at 9:00 a.m.. The Joint CMC Statement filing deadline shall be filed at least five court days before the above date. If the parties finalize the motion for preliminary approval, they shall file it and notice it in accordance with the Local Rules. The March 5, 2010 date shall not be a placeholder date for a preliminary approval motion.

Date: January 25, 2010

Jeffrey S. White  
The Hon. Jeffrey S. White