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Attorneys For Defendant Payless
Shoesource, Inc.

Attorneys for Plaintiff and the Settlement
Class

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MOHAMMAD KAZEMI, individually and on
behalf of a class of similarly situated individuals,

Plaintiff,

v.

PAYLESS SHOESOURCE, INC., a Missouri
corporation, COLLECTIVE BRANDS, INC.,
a Delaware corporation, and VOICE-MAIL
BROADCASTING CORPORATION d/b/a
VOICE & MOBILE BROADCAST
CORPORATION a/k/a VMBC,

Defendants.

) Case No. 09-cv-5142 EMC
)
) CLASS ACTION
)
) **STIPULATION TO**
) **CONTINUE FILING DATE**
) **FOR PLAINTIFF'S MOTION**
) **FOR AWARD OF**
) **ATTORNEYS' FEES AND**
) **EXPENSES AND INCENTIVE**
) **AWARD TO THE CLASS**
) **REPRESENTATIVE ; ORDER**
)
)
)

STIPULATION TO CONTINUE FILING DATE FOR PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES, EXPENSES AND INCENTIVE AWARD

1 Plaintiff Mohammad Kazemi (“Plaintiff”) and Defendant Payless Shoesource, Inc.
2 (“Payless” or “Defendant”), by and through their respective counsel, hereby enter into the
3 following Stipulation seeking a continuance of the filing date for Plaintiff’s motion for an
4 award of attorneys’ fees and expenses and incentive award to the class representative from
5 October 5, 2011 to October 13, 2011. This Stipulation is made and entered into by the
6 parties based on the following facts:

7 On March 31, 2011, Plaintiff filed a motion for preliminary approval of a class action
8 settlement agreement into which the parties had entered, which motion was to be presented
9 on April 25, 2011. (Docket No. 53.) The Court (per Judge Patel to whom the case was
10 originally assigned, and then per Judge Chen to whom it was transferred) ordered
11 supplemental briefing on specified issues, which supplemental briefing was supplied (Docket
12 Nos. 61, 63, 70 and 72). On September 6, 2011, this Court entered its Order (Docket No.
13 76), granting preliminary approval to the class action settlement. The said Order specified,
14 *inter alia*, that plaintiff should file any petition for an award of attorneys’ fees and expenses
15 and an incentive award to the class representative no later than October 5, 2011.

16 The schedule of the undersigned counsel for Plaintiff during the time since the entry
17 of the Order has been particularly onerous and despite diligent efforts, counsel does not feel
18 able to file an appropriate petition without obtaining a short extension, until October 13,
19 2011.

20 Accordingly, the undersigned parties **HEREBY STIPULATE AND AGREE** as
21 follows, subject to the approval of the Court:

22 1. Plaintiff’s time for filing a petition for an award of attorneys’ fees and
23 expenses and an incentive award to the class representative shall be extended to October 13,
24 2011.

25 2. No other dates specified in the Court’s September 6, 2011 Order shall be
26 affected or changed by this Stipulation.

27 STIPULATION TO CONTINUE FILING DATE OF PLAINTIFF’S MOTION FOR
28 ATTORNEYS’ FEES, EXPENSES AND INCENTIVE AWARD

Case No. 09-cv-5142 EMC

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IT IS SO STIPULATED.

Dated: October 5, 2011

Respectfully submitted,

JACOBS KOLTON, CHARTERED

By: /s/ John G. Jacobs
John G. Jacobs

Attorneys for Plaintiff
and the Settlement Class

VENABLE, LLP

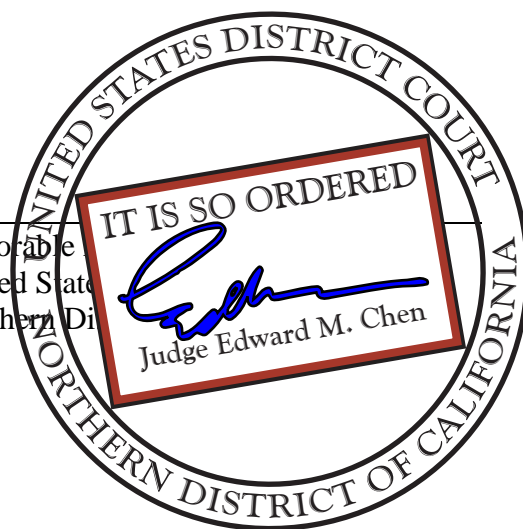
By: /s/ Ian D. Volner
Ian D. Volner

Attorney for Defendant Payless
Shoesource, Inc.

IT IS SO ORDERED.

Dated: October 5, 2011

Honorable
United States
Northern District



GENERAL ORDER 45 ATTESTATION

In accordance with General Order 45, concurrence in the filing of this document has been obtained from Ian D. Volner. I shall maintain records to support this concurrence for subsequent production to the Court if so ordered for inspection upon the request of any party.

By: /s/ John G. Jacobs
John G. Jacobs

One of The Attorneys for Plaintiff
and the Settlement Class

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