

1 JEFFREY F. KELLER (SBN 148005) [jfkeller@kellergrover.com](mailto:jfkeller@kellergrover.com)  
 2 **KELLER GROVER, LLP**  
 3 1965 Market Street, Suite 500  
 San Francisco, California 94103  
 Telephone: 415- 543-1305  
 4 Facsimile: 415-543-7861

IAN D. VOLNER (*Pro Hac Vice*)  
 idvolner@venable.com  
**VENABLE LLP**  
 575 7<sup>th</sup> Street, NW  
 Washington, DC 20004  
 Telephone: 202-344-4000,  
 Facsimile: 202-344-8300

5 JOHN G. JACOBS (*Pro Hac Vice*)  
 BRYAN G. KOLTON (*Pro Hac Vice*)  
 6 [jgjacobs@jacobskolton.com](mailto:jgjacobs@jacobskolton.com)  
 7 [bgkolton@jacobskolton.com](mailto:bgkolton@jacobskolton.com)  
**JACOBS KOLTON, CHTD.**  
 122 South Michigan Avenue  
 Suite 1850  
 Chicago, Illinois 60603  
 Telephone: (312) 427-4000  
 9 Facsimile: (312) 427-1850

EDWARD P. BOYLE (*Pro Hac Vice*)  
 eboyle@venable.com  
**VENABLE LLP**  
 Rockefeller Center  
 1270 Avenue of the Americas  
 25<sup>th</sup> Floor  
 New York, New York 10020  
 Telephone: 212-307-5500,  
 Facsimile: 212-307-5598

10 *Attorneys for Plaintiff and the*  
 11 *Putative Class*

*Attorneys for Defendant Payless*  
*Shoesource, Inc.*

12 **IN THE UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)**

14 MOHAMMAD KAZEMI, individually )  
 15 and on behalf of a class of similarly )  
 16 situated individuals, )  
 17 Plaintiff, )  
 18 v. )  
 19 PAYLESS SHOESOURCE, INC., et al., )  
 20 Defendants. )  
 21 )  
 22 )

Case No. CV09-5142 EMC

CLASS ACTION

**STIPULATION TO  
 CONTINUE HEARING  
 DATE ON MOTION FOR  
 FINAL APPROVAL OF  
 CLASS SETTLEMENT  
 AND MOTION FOR  
 APPROVAL OF  
 ATTORNEY’S FEES**

23 Plaintiff Mohammad Kazemi (“Plaintiff”) and Defendant Payless  
 24 Shoesource, Inc. (“Payless”), by and through their respective counsel, hereby  
 25 stipulate to the continuance of the hearing currently scheduled in this action for  
 26 March 2, 2012 at 1:30 p.m. on (1) Plaintiff’s Motion for Final Approval of  
 27 Class Action Settlement, and (2) Plaintiff’s Motion for Approval of Attorney’s  
 28

1 Fees and Expenses and Class Representative Incentive Award (the "Hearing").  
2 The reason for the continuance is that Payless's lead counsel on this matter, Ian  
3 Volner, will be out of the country on the date scheduled for the Hearing, and is  
4 unable to reschedule his travel plans. Counsel for the parties request that the  
5 Hearing be continued to March 23, 2012, at 1:30 p.m.

6 This is the first request to continue the Hearing. No trial date has been  
7 set which would be impacted by the parties' request. No party will be  
8 prejudiced by this three-week continuance of the Hearing. The time for class  
9 members to object to the proposed settlement has passed, and no objections  
10 have been submitted. There has been one opt-out. If the continuance is  
11 granted, the settlement administrator will post the new Hearing date on the class  
12 settlement website that has been set up for this case.

13 Accordingly, the parties respectfully request that the Hearing be  
14 continued until March 23, 2012, at 1:30 p.m.

15 Dated: February 10, 2012

16 Respectfully Submitted,

**VENABLE LLP**

17 By: /s/ Ian D. Volner  
IAN D. VOLNER

18 By: /s/ Edward P. Boyle  
EDWARD P. BOYLE

19 *Attorneys for Defendant Payless*  
*Shoesource, Inc.*

**JACOBS KOLTON, CHTD.**

21 By: /s/ John G. Jacobs  
JOHN G. JACOBS

22 *Attorneys for Plaintiff and the Putative*  
*Class*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

**[Proposed] ORDER**

GOOD CAUSE HAVING BEEN SHOWN, the hearing in this action on (1) Plaintiff’s Motion for Final Approval of Class Action Settlement, and (2) Plaintiff’s Motion for Approval of Attorney’s Fees and Expenses and Class Representative Incentive Award (the “Hearing”) shall be continued from March 2, 2012 at 1:30 p.m. until March 23, 2012, at 1:30 p.m.

The settlement administrator shall post the new hearing date on the class settlement website that has been set up for this case. In addition, Payless shall post the new hearing date on its own website.

**IT IS SO ORDERED.**

Dated: 2/14/12

