1 2 3 4 5 6 7 8 9 10	SEAN P. REIS (No. 184044) sreis@edelson.com EDELSON MCGUIRE LLP 30021 Tomas Street, Suite 300 Rancho Santa Margarita, California 92688 Telephone: 949.459.2124 RYAN D. ANDREWS (Admitted <i>Pro Hac Vice</i>) randrews@edelson.com EDELSON MCGUIRE LLC 350 North LaSalle, Suite 1300 Chicago, Illinois, 60654 Telephone: 312.589.6374 Facsimile: 312.589.6378 Attorneys for Plaintiffs	
	UNITED STATES	DISTRICT COURT
11	NORTHERN DISTR	ICT OF CALIFORNIA
12		
13 14	JUVENAL ROBLES and ABEL FIGUEROA, individually and on behalf of a class of similarly situated individuals,	Case No. 10-cv-04846 MMC
15	Plaintiffs,	JOINT REPORT ON STATUS OF SETTLEMENT; STIPULATION AND [PROPOSED] ORDER
16	v.	CONTINUING STAY OF LITIGATION PENDING CLASS
17	LUCKY BRAND DUNGAREES, INC., a Delaware corporation, KIRSHENBAUM	ACTION SETTLEMENT
18	BOND SENECAL & PARTNERS LLC f/k/a	The Honorable Maxine M. Chesney
19	KIRSHENBAUM BOND & PARTNERS LLC, a Delaware limited liability company,	
20	d/b/a Lime Public Relations + Promotion, and KIRSHENBAUM BOND & PARTNERS	
21	WEST LLC, a Delaware limited liability	
22	company,	
23	Defendants.	
24	KIRSHENBAUM BOND SENECAL & PARTNERS LLC f/k/a KIRSHENBAUM	
25	BOND & PARTNERS LLC, a Delaware	
26	limited liability company, d/b/a Lime Public Relations + Promotion, and KIRSHENBAUM	
27	BOND & PARTNERS WEST LLC, a Delaware limited liability company,	
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1	Third-Party Plaintiffs.	
2	v.	
3	MERKLE INC., a Maryland Corporation,	
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5	Third-Party Defendant and Fourth-Party Plaintiff.	
6	v.	
7	RGAR HOLDINGS, LLC, a Florida limited	
8	liability company, formerly known as TAKE 5	
9	SOLUTIONS, LLC., a Florida limited liability company.	
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11	Fourth-Party Defendants.	
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	Case No. C 10-04846 MMC	

1	Plaintiffs Juvenal Robles and Abel Figueroa (together, "Plaintiffs"), Defendant Lucky Brand	
2	Dungarees, Inc. ("Lucky"), Defendants Kirshenbaum Bond Senecal & Partners LLC, f/k/a	
3	Kirshenbaum Bond & Partners LLC, d/b/a Lime Public Relations + Promotion and Kirshenbaum	
4	Bond & Partners West LLC (together, "Lime"), Third-Party Defendant Merkle Inc. ("Merkle"), and	
5	Fourth-Party Defendant RGAR Holdings, LLC f/k/a Take 5 Solutions, LLC ("Take 5")	
6	(collectively, the "Parties"), by and through their counsel, submit the following Joint Report on the	
7	Status of Settlement, and Stipulation to Continue the Stay of Proceedings for an additional fourteen	
8	(14) days:	
9	1. On May 25, 2012, the Parties submitted a Joint Stipulation announcing that they had	
10	reached an agreement as to the material terms of a class action settlement and requested that the	
11	Court stay all pending motion and discovery deadlines. (Dkt. 85.)	
12	2. On May 30, 2012, the Court granted the Stipulation and further instructed the Parties	
13	to file a Joint Status Report on the status of the settlement or a motion for preliminary approval on	
14	or before July 13, 2012. (Dkt. 86.)	
15	3. On July 13 2012, the Parties applied for an extension of the stay to allow additional	
16	time to complete the necessary settlement documents. (Dkt. 87.) The Court granted a thirty-five	
17	(35) day extension of the stay on July 18, 2012 and instructed the Parties to file a Joint Status	
18	Report on or before August 22, 2012. (Dkt. 88.)	
19	4. On August 22, 2012, the Parties filed their third request to continue the stay,	
20	reporting that Counsel for each of the Defendants, as well as insurers, and representatives of the	
21	Defendants have reviewed and edited several drafts of the settlement agreement and that the Parties	
22	had selected the class action administrator who was in the process of revising the notice plan for	
23	final approval from all Parties and insurers.	
24	5. On August 29, 2012, a version of the settlement agreement, accompanying exhibits,	
25	and notice plan was agreed to by counsel and circulated to the Plaintiffs and Defendants for	
26	signature. On August 30, 2012, Lucky identified additional revisions to the settlement agreement,	
27	notices, and notice plan, which were circulated to counsel for the other Parties on September 6,	
28	2012. The Parties are now working diligently to finalize the papers setting forth the settlement of 1	
	JOINT STATUS REPORT AND STIP. & Case No. C 10-04846 MMC ORDER CONTINUING STAY OF LITIGATION	

1	this class action and they remain close to complete. The Parties, however, again require an	
2	additional two weeks to complete the settlement papers. The Parties now anticipate moving for	
3	Preliminary Approval on or before September 21, 2012. Based on that filing date, the Parties are	
4	looking at a hearing for preliminary approval, to the extent the Court requires one, on either October	
5	26, 2012 or November 2, 2012 at 9:00 AM.	
6	6. The Parties therefore stipulate to extending the stay on all pending motion and	
7	discovery deadlines in this case to and including September 21, 2012, to allow them time to finish	
8	memorializing the settlement terms and finalizing the notice plan.	
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11	IT IS SO JOINTLY REPORTED AND STIPULATED.	
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14	Dated: September 7, 2012	
15	EDELSON MCGUIRE LLC	
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17	By /s/ Ryan D. Andrews	
18	RYAN D. ANDREWS SEAN REIS	
19 20	Attorneys for Plaintiffs JUVENAL ROBLES and ABEL FIGUEROA	
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	Case No. C 10-04846 MMC JOINT STATUS REPORT AND STIP. & ORDER CONTINUING STAY OF LITIGATION	

1	Dated: August 22, 2012	
2		SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
3		
4		By <u>/s/ Brian R. Blackman</u> CRAIG CARDON
		BRIAN R. BLACKMAN
5		Attorneys for
6		Defendant LUCKY BRAND DUNGAREES, INC.
7	Dated: September 7, 2012	
8	Dated. September 7, 2012	
9		WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP
10		
		By <u>/s/ Sara J. Savage</u>
11		DAVID SHEIFFER SARA J. SAVAGE
12		Attorneys for
		Defendants KIRSHENBAUM BOND SENECAL &
13		PARTNERS LLC and KIRSHENBAUM BOND &
14	Dated: September 7, 2012	PARTNERS WEST LLC
15		LATHAM & WATKINS LLP
16		LATHAM & WATKINS LLP
17		By /s/ Peter Winik
		PETER WINIK
18		MATTHEW RAWLINSON
19		SARAH GRAGERT
20		Attorneys for Third-Party Defendant MERKLE, INC.
21	Dated: September 7, 2012	
22		MCDERMOTT WILL & EMERY LLP
23		
24		By <u>/s/Peter J. Drobac</u>
25		DANIEL E. ALBERTI PETER J. DROBAC
		Attorneys for
26		Fourth-Party Defendant RGAR HOLDINGS, LLC
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	Case No. C 10-04846 MMC	JOINT STATUS REPORT AND STIP. & ORDER CONTINUING STAY OF LITIGATION

1	CERTIFICATION	
2	I, Ryan D. Andrews, am the ECF User whose identification and password are being used to	
3	file this Joint Case Management Statement and Request to Continue. In compliance with Civil	
4	Local Rule 5-1(i)(3), I hereby attest that Brian R. Blackman, Sara J. Savage, Peter Winik, and Peter	
5	J. Drobac have concurred in this filing.	
6	Dated: September 7, 2012	
7	EDELSON MCGUIRE LLC	
8		
9	By /s/ Ryan D. Andrews	
10	RYAN D. ANDREWS SEAN REIS	
11	Attorneys for Plaintiffs JUVENAL ROBLES and ABEL FIGUEROA	
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	JOINT STATUS REPORT AND STIP. &Case No. C 10-04846 MMCORDER CONTINUING STAY OF LITIGATION	

1	ORDER
2	Having considered the Parties' Joint Report on the Status of Settlement and Stipulation and
3	good cause appearing, this litigation, including amended pleading deadlines, motion deadlines, and
4	all discovery obligations, shall be stayed to and including September 21, 2012.
5	The parties are directed to file, no later than September 21, 2012, a Joint Status Report, said
6	deadline to stand vacated without further order of the Court in the event plaintiffs have filed, on or
7	before September 21, 2012, a motion for preliminary approval of the settlement.
8	IT IS SO ORDERED.
9	Dated: September <u>10</u> , 2012
10	Maline M. Cherry
11	The Honorable Maxine M. Chesne United States District Judge
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	JOINT STATUS REPORT AND STIP. & Case No. C 10-04846 MMC ORDER CONTINUING STAY OF LITIGATION