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

15 KIMBERLEY MAIN and EYAD AKEL,  
 16 individuals, on behalf of themselves and all others  
 similarly situated,

17 Plaintiffs,

18 vs.

19 WAL-MART STORES, INC., a Delaware  
 20 corporation; and DOES 1 through 50, inclusive,

21 Defendants.  
 22

No.: 3:11-cv-01919-JSW

**Consolidated Cases:**

Landeros, Case No. 11-CV-2659-JSW  
 Nelson, Case No. 11-CV-2001-JSW  
 Grikavicius, Case No. 11-CV-2893-JSW

**Related Case:**

Heon, Case No. 12-CV-1681 JSW

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE DEADLINE FOR  
 PLAINTIFFS TO FILE UNOPPOSED  
 MOTION FOR PRELIMINARY  
 APPROVAL OF CLASS ACTION  
 SETTLEMENT AS MODIFIED**

Hon. Jeffrey S. White

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STIPULATION

1  
2 Plaintiffs Kimberley Main, Robin Nelson, Marylynn Grikavicius, Lourdes R. Landeros and  
3 Tiffany Heon (“Plaintiffs”) and Defendant Wal-Mart Stores, Inc. (“Wal-Mart” or “Defendant”)  
4 (collectively, the “Parties”) hereby enter into this stipulation to continue the deadline for Plaintiffs to  
5 file an unopposed motion for preliminary approval of class action settlement (“Motion” or “Motion  
6 for Preliminary Approval”). Specifically, the Parties stipulate to continue the deadline for Plaintiffs  
7 to file their Motion from October 26, 2012 to November 2, 2012, with the hearing on the Motion to  
8 remain, as scheduled, for December 7, 2012, subject to Court approval.

RECITALS

9  
10 **WHEREAS**, on April 16, 2012, the Parties participated in a mediation before the Hon.  
11 Edward A. Infante (Ret.) at the JAMS Judicial Arbitration, Mediation, and ADR Services offices  
12 located in San Francisco, California, at which the Parties reached an agreement in principle on the  
13 material terms of a possible settlement, which would be subject to review and final approval by  
14 Defendant’s management;

15 **WHEREAS**, the Parties reached a final agreement on the terms of the settlement and agreed  
16 to settle this Action;

17 **WHEREAS**, the Parties have been engaged in the process of preparing a formal settlement  
18 agreement, notice documents, and a claim form, which the Parties anticipate will be finalized and  
19 executed within the next 7 days;

20 **WHEREAS**, on September 13, 2012, the Court scheduled the hearing on Plaintiffs’ Motion  
21 for November 16, 2012 at 9:00 a.m. and ordered that the Motion be filed on or before October 12,  
22 2012;

23 **WHEREAS**, on October 10, 2012, the Parties filed a stipulation to shorten the time for  
24 Plaintiffs to file their Motion from 35 days to 21 days before the hearing, such that the Motion would  
25 be filed by October 26, 2012, for hearing on November 16, 2012, subject to Court approval;

26 **WHEREAS**, on October 12, 2012, the Court entered an order continuing the deadline for  
27 Plaintiffs to file their Motion to October 26, 2012 and scheduling the hearing on the Motion for  
28 December 7, 2012;

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1           **WHEREAS**, since the Court’s October 12, 2012 order, the Parties have resolved a number  
2 of open issues regarding the terms of the settlement, however, because one final issue requires  
3 approval by Defendant’s management, the Parties request a one-week extension for Plaintiffs to  
4 prepare and file the Motion.

5           **NOW, THEREFORE**, Plaintiffs and Defendant hereby stipulate and jointly request that the  
6 Court continue the deadline for Plaintiffs to file their Motion from October 26, 2012 to November 2,  
7 2012 with the hearing on the Motion to remain, as scheduled, for December 7, 2012, or some later  
8 date convenient to the Court.

9  
10           **IT IS SO STIPULATED**

11  
12 DATED: October 26, 2012

REED SMITH LLP

13  
14 By: /s/ Scott H. Jacobs

15 Scott H. Jacobs  
16 Brandon W. Corbridge  
17 Attorneys for Defendant  
18 WAL-MART STORES, INC.

19  
20 DATED: October 26, 2012

STONEBARGER LAW, P.C.

21 By: /s/ Gene J. Stonebarger

22 Gene J. Stonebarger  
23 Richard D. Lambert  
24 Co-Lead Plaintiffs’ Counsel  
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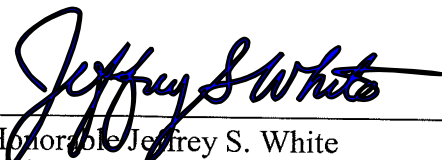
~~PROPOSED~~ ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS ORDERED that:

1. The deadline for Plaintiffs to file their unopposed Motion for Preliminary Approval of Class Action Settlement is continued to November 2, 2012.

2. The hearing on Plaintiffs' unopposed Motion for Preliminary Approval of Class Action Settlement shall remain on calendar for ~~December 7, 2012.~~ January 25, 2013 at 9:00 a.m.

Dated: October 26, 2012

By:   
The Honorable Jeffrey S. White  
United States District Judge

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