1 2 3 4 5 6 7 8 9	Scott D. Baker (SBN 84923) Email: sbaker@reedsmith.com Jonah D. Mitchell (SBN 203511) Email: jmitchell@reedsmith.com James A. Daire (SBN 239637) Email: jdaire@reedsmith.com Christine M. Morgan (SBN 169350) Email: cmorgan@reedsmith.com REED SMITH LLP 101 Second Street, Suite 1800 San Francisco, CA 94105 Telephone: (415) 543-8700 Facsimile: (415) 391-8269 Attorneys for Defendant SAFEWAY INC.					
11	UNITED STATES DISTRICT COURT					
12	NORTHERN DISTRICT OF CALIFORNIA					
13						
14	MICHAEL RODMAN, on behalf of himself	Case No. 3:11-CV-03003-JST (JCS)				
15	and all others similarly situated, Plaintiff,	STIPULATION AND [PROPOSED] ORDER FOR APPROVAL OF				
16	v.	SUPERSEDEAS BOND AND STAY OF EXECUTION AND ENFORCEMENT OF				
17	SAFEWAY INC.,	JUDGMENT PENDING APPEAL				
18	Defendant.	The Honorable Jon S. Tigar				
19						
20						
21		f Michael Rodman, on behalf of himself and all				
22	others similarly situated ("Plaintiff"), and Defende	ant Safeway Inc. ("Safeway"), hereby stipulate				
23	and agree as follows:					
24						
25	WHEREAS, the Court entered judgment on November 30, 2015 (Dkt. No. 406).					
26 27	WHEDEAS Sofeway flad a Nation of Am	moal to the United States Count of America for				
27		opeal to the United States Court of Appeals for				
20	the Ninth Circuit on December 4, 2015 (Dkt. No. 408). Case No. 3:11-CV-03003-JST (JCS) -1-					
	STIPULATION AND [PROPOSED] ORDER FOR AI	PPROVAL OF SUPERSEDEAS BOND AND STAY OF COF JUDGMENT PENDING APPEAL Dockets.Justia.c				

1	WHEREAS, on December 11, 2015, pursuant to the parties' stipulation, the Court entered
2	an Order for Extension of Stay of Execution and Enforcement of Judgment by which (1) any
3	execution or enforcement of the judgment was stayed until and including January 5, 2016; and (2)
4	a supersedeas bond in the amount of \$42,000,000 was approved (Dkt. No. 412).
5	
6	WHEREAS, on January 6, 2016, pursuant to the parties' stipulation, the Court entered an
7	Order for Further Extension of Stay of Execution of Enforcement of Judgment by which any
8	execution or enforcement of the judgment was stayed until and including January 12, 2016 (Dkt.
9	No. 414).
10	
11	WHEREAS, Safeway has obtained a supersedeas bond in the amount of \$42,000,000, a
12	copy of which is attached hereto as Exhibit A.
13	
14	WHEREAS, the parties agree that any execution or enforcement of the judgment is stayed
15	until fifteen days after issuance of the mandate by the United States Court of Appeals for the Ninth
16	Circuit.
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	Case No. 3:11-CV-03003-JST (JCS) -2-
	STIPULATION AND [PROPOSED] ORDER FOR APPROVAL OF SUPERSEDEAS BOND AND STAY OF EXECUTION AND ENFORCEMENT OF JUDGMENT PENDING APPEAL

1				
2	Dated: January 7, 2016	Dated:	January 7, 2016	
3				
4	REED SMITH LLP		CHIMICLES & TIKELLIS LLP	
5	By: <u>/s/ Jonah D. Mitchell*</u>	Bv [.]	/s/ Steven A. Schwartz	
6	Scott D. Baker (SBN 84923)		Steven A. Schwartz (pro hac vice)	
7	Jonah D. Mitchell (SBN 203511) James A. Daire (SBN 239637)		Timothy N. Mathews (pro hac vice) 361 W. Lancaster Ave.	
	Christine M. Morgan (SBN 169350)		Haverford, PA 19041	
8	101 Second Street, Suite 1800		Telephone: (610) 642-8500 Facsimile: (610) 649-3633	
9	San Francisco, CA 94105 Telephone: (415) 543-8700		James C. Shah (SBN 260435)	
10	Facsimile: (415) 391-8269		Rose F. Luzon (SBN 221544)	
11	Attorneys for Defendant		SHEPHERD, FINKELMAN, MILLER & SHAH	
	SAFEWAY INC.		401 West A Street, Suite 2350	
12			San Diego, CA 92101 Telephone: (619) 235-2416	
13	* <i>Filer's Attestation: Pursuant to Civil Local Rule</i> 5-1(i) regarding signatures, Jonah D. Mitchell		Facsimile: (866) 300-7367	
14	hereby attests that concurrence in the filing of this		Attorneys for Plaintiff MICHAEL RODMAN and the Class	
15	document has been obtained.		MICHAEL RODMAN and the Class	
16				
17	ORD	FD		
18				
19	PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that any execution or			
1)	PURSUANT TO STIPULATION, IT IS HEREI	BY ORI	DERED that any execution or	
20	PURSUANT TO STIPULATION, IT IS HEREI enforcement of the judgment is stayed until fifteen		-	
		days afi	-	
20	enforcement of the judgment is stayed until fifteen	days afi	-	
20 21 22	enforcement of the judgment is stayed until fifteen	days afi	ter issuance of the mandate by the	
20 21 22 23	enforcement of the judgment is stayed until fifteen	days afi	ter issuance of the mandate by the	
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 20 21 22 23 24 25 26 27 	enforcement of the judgment is stayed until fifteen United States Court of Appeals for the Ninth Circu	days afi	ter issuance of the mandate by the APPROVED Judge Jon S. Tigar	
 20 21 22 23 24 25 26 	enforcement of the judgment is stayed until fifteen United States Court of Appeals for the Ninth Circu	days aff it.	APPROVED	
 20 21 22 23 24 25 26 27 	enforcement of the judgment is stayed until fifteen United States Court of Appeals for the Ninth Circu DATED: January 11, 2016	days aff it.	ter issuance of the mandate by the APPROVED Judge Jon S. Tigar Judge Jon S. Tigar Children Children Childre	