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Attorneys for Defendant Wenner Media LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

16 JASMINE HUBBARD AND MARVEL  
 17 MILLS, individually and on behalf of a class  
 18 of similarly situated individuals,

Plaintiffs,

vs.

19 WENNER MEDIA LLC, a Delaware limited  
 20 liability company

Defendant.

Case No. 3:11-cv-04648-EMC

**STIPULATION AND ~~[PROPOSED]~~**  
**ORDER TO CANCEL SETTLEMENT**  
**CONFERENCE**

Judge: Hon. Maria-Elena James

23 Pursuant to the Magistrate Judge’s Order Setting Settlement Conference (Dkt. 54), it is  
 24 hereby stipulated by and among Plaintiffs Jasmine Hubbard and Marvel Mills and Defendant  
 25 Wenner Media LLC (collectively the “Parties”), by and through their respective counsel of record,  
 26 as follows:  
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WHEREAS, Plaintiff filed the Complaint in this case on September 20, 2011 (dkt. 1);

WHEREAS, the Parties agreed to participate in a settlement conference with the Hon. Maria-Elena James (dkt. 52);

WHEREAS, Magistrate Judge James entered an Order setting a Settlement Conference for May 2, 2012 at 10:00 a.m. (dkt. 54);

WHEREAS, on April 18, 2012, the Parties stipulated to reset the Settlement Conference in this case to July 25, 2012 (dkt. 59);

WHEREAS, Magistrate Judge James issued an Order resetting the Settlement Conference to July 25, 2012 (dkt. 60);

WHEREAS, on July 16, 2012, the Parties stipulated to reset the Settlement Conference in this case to November 13, 2012 (dkt. 61);

WHEREAS, Magistrate Judge James issued an Order resetting the Settlement Conference to November 13, 2012 (dkt. 62);

WHEREAS, Plaintiff has diligently sought discovery from third-parties that possess information relevant to this lawsuit including third-parties Revenue Enhancement Consultants, Inc., Trifecta Marketing Group, Inc., and T-Mobile USA, Inc.;

WHEREAS, based on the information learned from the aforementioned third-party discovery, the Parties are currently conducting settlement discussions and believe that they are making meaningful progress towards resolving their dispute;

WHEREAS, the Parties believe that it would not be an efficient use of the Parties' or the Court's time and resources to conduct a settlement conference;

IT IS HEREBY STIPULATED AND AGREED by the Parties, through their counsel, that, with the Court's agreement, the settlement conference be cancelled. IT IS SO STIPULATED.

DATED this 6th day of November 2012.

EDELSON MCGUIRE LLP

DAVIS WRIGHT TREMAINE LLP

By: /s/ Sean Reis

By: /s/ Thomas R. Burke

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**ORDER**

Pursuant to stipulation, the foregoing is approved and IT IS SO ORDERED.

IT IS SO ORDERED.

DATED: November 7, 2012



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THE HONORABLE MARIA-ELENA JAMES  
UNITED STATES MAGISTRATE JUDGE

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