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18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**
 20 **SAN FRANCISCO DIVISION**

21 CARL CORDY, individually and on behalf of
 others similarly situated,
 22
 Plaintiff,
 23
 vs.
 24
 25 USS-POSCO INDUSTRIES, UNITED
 STATES STEEL CORPORATION, POSCO –
 26 CALIFORNIA CORPORATION, PITCAL,
 INC., and DOES 1 to 50
 27
 Defendants.

Case No.: 3:12-cv-00553-JST
**STIPULATION AND ~~PROPOSED~~ ORDER
 REGARDING EXTENSION OF DEADLINE
 TO FILE MOTION FOR PRELIMINARY
 APPROVAL OF CLASS ACTION
 SETTLEMENT**
 CLASS ACTION

28 **STIPULATION AND ~~PROPOSED~~ ORDER REGARDING EXTENSION OF DEADLINE TO FILE MOTION
 FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**
Cordy, et al. v. USS-POSCO Industries, et al., Case No. 3:12-cv-00553-JST

1 **STIPULATION**

2 Plaintiff Carl Cordy (“Plaintiff”) and Defendant USS-POSCO INDUSTRIES (“Defendant”
3 OR “UPI”) (collectively “the Parties”) hereby respectfully submit this stipulation and proposed
4 order requesting a brief extension of the deadline to file the Motion for Preliminary Approval of
5 Class Action Settlement and supporting documents.

6 WHEREAS, the Parties negotiated a settlement following mediation, and negotiated and
7 executed a settlement agreement on June 14, 2013;

8 WHEREAS, Plaintiff submitted a Motion for Preliminary Approval of Settlement and
9 supporting documents on July 23, 2013 (Doc. No. 48);

10 WHEREAS, on July 31, 2013, this Court issued an order requesting that the Parties address
11 and/or cure several issues relating to the settlement as addressed in its Order Denying Preliminary
12 Approval of Class Action Settlement (Doc. No. 52);

13 WHEREAS, this Court stated in its Order that Plaintiff may file another Motion for
14 Preliminary Approval of Class Action settlement by September 30, 2013 (Doc. No. 52).

15 WHEREAS, the Parties have been diligently negotiating additional and new settlement
16 terms and details with respect to the settlement reached in this matter. The additional and new
17 settlement terms address and/or are in response to this Court’s Order requesting that these issues be
18 addressed and/or cured. The Parties have reached agreement regarding the new terms and believe
19 that they appropriately address the issues highlighted in the Court’s Order;

20 WHEREAS, one of the new terms negotiated and agreed to by the parties involves a revised
21 allocation of settlement proceeds and several distribution formulas, tailored specifically to each of
22 Plaintiff’s claims. The new proposed distribution formulas require the gathering of significant data
23 and information by Defendant UPI accounting and/or payroll department. Such information is
24 necessary to ensure that the new allocation and proposed distribution are fair and equitable;

25 WHEREAS, the parties just learned that the individual at UPI responsible for obtaining and
26 organizing the necessary data is unavailable and is unable to obtain and gather the necessary data
27 by September 30, 2013;

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WHEREAS the Parties request a brief extension of the deadline to file the preliminary approval papers to allow them time to obtain the data, ensure its accuracy and present it to this Court with the preliminary approval papers;

WHEREAS, the Parties stipulate and request that the deadline to file preliminary approval paper be extended to FROM September 30, 2013 to October 8, 2013.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: September 25, 2013

s/s Carolyn H. Cottrell
Carolyn H. Cottrell
SCHNEIDER WALLACE
COTTRELL KONECKY LLP
Attorneys for Plaintiff CARL CORDY
and the Putative Class

DATED: September 25, 2013

s/s Scott A. Brown
Scott A. Brown
BROWN | POORE LLP
Attorneys for Plaintiff CARL CORDY
and the Putative Class

DATED: September 25, 2013

s/s Cassandra H. Carroll
Francis J. Ortman, III
Cassandra H. Carroll
SEYFARTH SHAW LLP
Attorneys for Defendant USS-POSCO INDUSTRIES

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 25, 2013

Hon. Jon S. Tigar
United States District Court

