

1 STEVEN L. HAMMOND (SBN 220521)  
Hammond Law Group, P.C.  
2 One Embarcadero Center, Suite 2360  
San Francisco, California 94111  
3 Telephone: (415) 955-1915

4 DAVID HARRIS (SBN 215224)  
North Bay Law Group  
5 116 E Blithedale Avenue, Suite 2  
Mill Valley, CA 94941  
6 Telephone: (415) 388-8788

7 Attorneys for Plaintiff  
DONALD LOUNIBOS

8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 DONALD LOUNIBOS, individually and  
12 on behalf of all others similarly situated,

13 Plaintiff,

14 v.

15 KEYPOINT GOVERNMENT  
SOLUTIONS, INC., a Delaware  
16 Corporation, and Does 1-10, inclusive,

17 Defendants.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No. 12-CV-0636 (JST)

**STIPULATION AND ~~PROPOSED~~ ORDER  
CONTINUING PLAINTIFF'S DEADLINE  
TO FILE NEW MOTION FOR  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT**

Assigned to Honorable Jon S. Tigar  
450 Golden Gate Avenue  
San Francisco, CA 94102

1 **STIPULATION**

2 The parties hereby stipulate as follows:

3 WHEREAS, on July 12, 2013, the Court issued an Order Denying Motion for Preliminary  
4 Approval of Class Action Settlement (“Order”) (docket number 45). In particular, the Order, stated,  
5 “Lounibos’ motion for preliminary approval of the proposed settlement is denied without prejudice.  
6 Lounibos may file a new motion for preliminary approval of the proposed settlement that cures each of  
7 the deficiencies identified in this Order within sixty days of the date this order is filed. A case  
8 management conference will be held on October 2, 2013 at 2:00 p.m.” Thus, under the terms of the  
9 Order, Plaintiff must file a new motion for preliminary approval on or before Tuesday, September 10,  
10 2013;

11 WHEREAS, the Court’s Order sets forth a number of issues and deficiencies in the proposed  
12 settlement, which the parties have been working to cure. There remain a couple of outstanding issues  
13 the parties continue to work through. Once the parties agree on a modified proposed structure, pursuant  
14 to paragraph 15.3 of the Settlement Agreement, the parties will memorialize any such changes to the  
15 settlement agreement in a written Amendment to be presented to the Court; and

16 WHEREAS, the parties believe they can cure all of the Court’s concerns and present a proposed  
17 settlement that will be approved. To this end, the parties request a thirty (30) day extension of the  
18 deadline in order to come to agreement on a modified structure and file a new motion for preliminary  
19 approval of class action settlement.

20 IT IS THEREFORE STIPULATED AND AGREED that Plaintiff shall file a new motion for  
21 preliminary approval of class action settlement, which addresses the deficiencies set forth in the Court’s  
22 Order, on or before October 9, 2013. The Case Management Conference, which is currently scheduled  
23 to take place on October 2, 2013, shall be continued to November 6, 2013, at 2:00 P.M., or the next  
24 available date this is convenient for the Court.

25 ///

26 ///

27 ///

28 ///

**IT IS SO STIPULATED.**

Date: September 5, 2013

Respectfully submitted,

NORTH BAY LAW GROUP

By \_\_\_\_\_/s/  
David Harris

Attorneys for Plaintiffs  
DONALD LOUNIBOS

Date: September 5, 2013

LITTLER MENDELSON, P.C.

By \_\_\_\_\_/s/  
Michelle Heverly

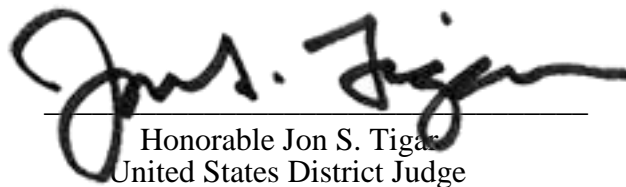
Attorneys for Defendants  
KEYPOINT GOVERNMENT SOLUTIONS, INC.

**~~[PROPOSED]~~ ORDER**

**IT IS HEREBY ORDERED AS FOLLOWS:**

Plaintiff shall file a new motion for preliminary approval of class action settlement on or before October 9, 2013. The Case Management Conference, currently scheduled for October 2, 2013, shall be continued to November 6, 2013, at 2:00 P.M.

DATED: September 6, 2013

  
\_\_\_\_\_  
Honorable Jon S. Tigar  
United States District Judge