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7 Attorneys for Plaintiff
DONALD LOUNIBOS

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.

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

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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.”

9 WHEREAS, on September 6, 2013, the Court entered an Order continuing Plaintiff’s Deadline to
10 File New Motion for Preliminary Approval of Class Action Settlement. Pursuant to the September 6,
11 2013, Order, Plaintiff’s current deadline to file a new Motion is October 9, 2013.

12 WHEREAS, the parties have been working to address the issues and deficiencies in the original
13 proposed settlement, about which the parties have made substantial progress and are close to finalizing a
14 modified agreement, which includes, without limitation, a non-reversionary settlement and a revised
15 class definition. The parties are in the process of finalizing this modified agreement and will be entering
16 into a written Amendment, pursuant to paragraph 15.3 of the original Settlement Agreement, that
17 memorializes these changes; and

18 WHEREAS, the parties believe they can cure all of the Court’s concerns and present a proposed
19 settlement that will be approved. To this end, the parties request a twenty-one (21) day extension of the
20 current deadline in order to finalize the modified settlement agreement and file a new motion for
21 preliminary approval of class action settlement.

22 IT IS THEREFORE STIPULATED AND AGREED that Plaintiff shall file a new motion for
23 preliminary approval of class action settlement, which addresses the deficiencies set forth in the Court’s
24 Order, on or before October 30, 2013. The Case Management Conference, which is currently scheduled
25 to take place on November 6, 2013 at 2:00 P.M., shall be continued until December 4, 2012 at 2:00
26 P.M., or the next available date this is convenient for the Court.

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1 **IT IS SO STIPULATED.**

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3 Date: October 7, 2013

Respectfully submitted,
NORTH BAY LAW GROUP

By _____ /s/
David Harris

Attorneys for Plaintiffs
DONALD LOUNIBOS

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8 Date: October 7, 2013

LITTLER MENDELSON, P.C.

By _____ /s/
Michelle Heverly

Attorneys for Defendants
KEYPOINT GOVERNMENT SOLUTIONS, INC.

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13 ~~**PROPOSED**~~ **ORDER**

14 **IT IS HEREBY ORDERED AS FOLLOWS:**

15 Plaintiff shall file a new motion for preliminary approval of class action settlement on or before
16 October 30, 2013. The Case Management Conference, currently scheduled for November 6, 2013, shall
17 be continued to December 4, 2013, at 2:00 P.M.

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19 DATED: October 8, 2013

