

1 Counsel listed on the following page.

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT

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SAN FRANCISCO DIVISION

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PETER WRIGHT and MICHELLE TRAME, individually, on behalf of all others similarly situated, and on behalf of the general public,

Case No. 3:12-cv-00982-EMC

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of the general public,

**STIPULATION TO CONTINUE DEADLINE FOR SUBMISSION OF JOINT SUPPLEMENTAL BRIEF**

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Plaintiffs,

**Judge:** Edward M. Chen

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vs.

**Ctrm:** 5, 17th Floor

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ADVENTURES ROLLING CROSS COUNTRY, INC., dba ADVENTURES CROSS COUNTRY (ARCC), a California Corporation, SCOTT VON ESCHEN, and DOES 1 through 50 inclusive,

Current Deadline: July 18, 2013

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Defendants.

Proposed Deadline: July 25, 2013

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1 REED E. SCHAPER (SBN 082792)  
HIRSCHFELD KRAEMER LLP  
2 233 Wilshire Boulevard, Suite 600  
Santa Monica, CA 90401  
3 Telephone: (310) 255-0705  
Facsimile: (310) 255-0986  
4 Email: [rschaper@hkemploymentlaw.com](mailto:rschaper@hkemploymentlaw.com)

5 KRISTIN L. OLIVEIRA (SBN 204384)  
HIRSCHFELD KRAEMER LLP  
6 505 Montgomery Street, 13th Floor  
San Francisco, CA 94111  
7 Telephone: (415) 835-9000  
Facsimile: (415) 834-0443  
8 Email: [koliveira@hkemploymentlaw.com](mailto:koliveira@hkemploymentlaw.com)

9 *Attorneys for Defendants*  
ADVENTURES ROLLING CROSS COUNTRY, INC.,  
10 *dba ADVENTURES CROSS COUNTRY (ARCC) and*  
SCOTT VON ESCHEN  
11

12 BRYAN SCHWARTZ LAW  
BRYAN SCHWARTZ (SBN 209903)  
13 MICHAEL THOMAS (SBN 226129)  
1330 Broadway, Suite 1630  
14 Oakland, CA 94612  
Telephone: (510) 444-9300  
15 Facsimile: (510) 444-9301  
Email: [bryan@bryanschwartzlaw.com](mailto:bryan@bryanschwartzlaw.com)  
16 Email: [michael@bryanschwartzlaw.com](mailto:michael@bryanschwartzlaw.com)

17 RUDY, EXELROD, ZIEFF & LOWE, L.L.P.  
DAVID A. LOWE (SBN 178811)  
18 JOHN T. MULLAN (SBN 221149)  
351 California Street, Suite 700  
19 San Francisco, CA 94104  
Telephone: (415) 434-9800  
20 Facsimile: (415) 434-0513  
Email: [dal@rezlaw.com](mailto:dal@rezlaw.com)  
21 Email: [jtm@rezlaw.com](mailto:jtm@rezlaw.com)

22 *Attorneys for Plaintiffs*  
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1 TO THE COURT:

2 Plaintiffs PETER WRIGHT and MICHELLE TRAME (“Plaintiffs”) and Defendants  
3 ADVENTURES ROLLING CROSS COUNTRY, INC., and SCOTT VON ESCHEN  
4 (“Defendants”), by and through their respective counsel of record, herein agree and stipulate as  
5 follows:

6 **RECITALS**

7 1. The Court has previously ordered that the parties meet and confer and file a joint  
8 supplemental brief regarding the proposed class notice and consent form by July 15, 2013 and  
9 then July 26, 2013 (ECF Doc. 134);

10 2. The Court granted the parties an extension to July 19, 2013 and then subsequently  
11 to July 26, 2013 to file a joint supplemental brief and a proposed class notice because the parties  
12 advised the court that they were actively engaged in settlement discussions (*See* Court Orders at  
13 ECF 136, ECF 138);

14 3. The parties have remained thoroughly engaged in advanced and meaningful  
15 settlement discussions, which have continued with direct communication nearly daily and has  
16 included exchanges of proposed final deal term sheets as recently as July 18 and July 24, 2013;

17 4. The parties’ settlement negotiations have also involved third-party banks and  
18 bankruptcy counsel, and as such are more complex and lengthier than merely bilateral talks. A  
19 draft Memorandum of Understanding is being prepared, and a conference call is set for Monday,  
20 July 29, to continue, and hopefully complete, the negotiations;

21 5. Once the parties conclude these discussions, the contents of the proposed notice to  
22 class members will be able to be completed, and if an agreement is reached, the joint or  
23 unopposed Motion for Preliminary Approval will be scheduled for hearing as soon as possible,  
24 hopefully with less than the 35 days’ time needed to notice a contested motion;

25 6. In view of these continued settlement developments, the parties respectfully  
26 request a brief additional extension of time to meet and confer regarding contents of the proposed  
27 class notice and consent form and to file a joint supplemental brief, if the matter does not resolve,  
28 or to notify the Court of a settlement and seek approval, if it does.

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**STIPULATION**

NOW, THEREFORE, based upon the foregoing statements, Plaintiffs and Defendants hereby agree and stipulate as follows, subject to Court approval, that the deadline to file a joint supplemental brief regarding the proposed class notice and consent form, if the matter does not settle, be continued to **August 5, 2013**. If the matter does settle, the parties will notify the Court of a settlement by that date, finalize settlement documents amongst themselves, and file a preliminary approval motion not later than **August 16, 2013**.

IT IS SO STIPULATED:

Dated: July 26, 2013

HIRSCHFELD KRAEMER LLP

By: /s/ Kristin L. Oliveira  
Reed E. Schaper  
Kristin L. Oliveira  
Attorneys for Defendants  
ADVENTURES ROLLING CROSS  
COUNTRY, INC., dba ADVENTURES  
CROSS COUNTRY (ARCC) and SCOTT  
VON ESCHEN

Dated: July 26, 2013

BRYAN SCHWARTZ LAW  
RUDY EXELROD ZIEFF & LOWE, LLP

By: /s/ Bryan J. Schwartz  
Bryan J. Schwartz  
Attorneys for Plaintiffs  
PETER WRIGHT and MICHELLE TRAME

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**[PROPOSED] ORDER**

Pursuant to the parties' Joint Stipulation, it is so ordered that the deadline for the Parties to file a joint supplemental brief regarding the proposed class notice and consent form be extended to **August 5, 2013**, if the matter does not settle, and if the matter does settle, that the parties will notify the Court of a settlement by that date and file a preliminary approval motion not later than **August 16, 2013**.

Dated: July 29, 2013

