

Winston & Strawn LLP
101 California Street
San Francisco, CA 94111-5802

1 Shannon M. Gibson (SBN: 256634)
WINSTON & STRAWN LLP
2 101 California Street
San Francisco, CA 94111-5802
3 sgibson@winston.com
Telephone: (415) 591-1000
4 Facsimile: (415) 591-1400

5 Joseph J. Torres (admitted *pro hac vice*)
Heather S. Lehman (admitted *pro hac vice*)
6 WINSTON & STRAWN LLP
35 West Wacker Drive
7 Chicago, IL 60601
jtorres@winston.com
8 hlehman@winston.com
Telephone: (312) 558-5600
9 Facsimile: (312) 558-5700

10 Attorneys for Defendants
FACET RETIREE MEDICAL PLAN and
11 the PLAN ADMINISTRATOR OF
THE FACET RETIREE MEDICAL PLAN

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**
16

17 PATRICK CALDWELL, FRAN CHARLSON,)
DOUGLAS EBERSOLE and CARY QUEEN,)
18)
Plaintiffs,)
19 vs.)
20 FACET RETIREE MEDICAL PLAN,)
TIMOTHY RICHMOND AS PLAN)
21 ADMINISTRATOR OF THE FACET)
RETIREE MEDICAL PLAN,)
22)
23 Defendants.)

Case No. C13-0385 WHA
NOTICE OF SETTLEMENT AND
~~PROPOSED~~ ORDER TO CANCEL
SETTLEMENT CONFERENCE

Date Action Filed: January 28, 2013

24
25
26
27
28

1 TO THE COURT: The parties to the above-referenced action hereby advise that they have
2 reached an agreement in principle to settle this matter, and are currently working on preparing the
3 appropriate documentation. The parties estimate they will need 30 days in order to finalize the
4 settlement and file any appropriate dismissal papers.

5 In light of the foregoing, the parties hereby request that the Settlement Conference scheduled
6 for July 2, 2014 be taken off the calendar.

7
8 Dated: June 24, 2014

Respectfully submitted,

9
10 /s/ Joseph J. Torres

Joseph J. Torres (admitted *pro hac vice*)
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601
jtorres@winston.com
Telephone: (312) 558-5600
Facsimile: (312) 558-5700

11
12
13
14 Attorneys for Defendants

15
16 /s/ Daniel Mark Feinberg

Daniel Mark Feinberg
LEWIS FEINBERG LEE RENAKER
& JACKSON, P.C.
476 - 9th Street
Oakland, CA 94607
dfeinberg@lewisfeinberg.com
Telephone: (510) 839-6824
Facsimile: (510) 839-7839

17
18
19
20
21 Attorneys for Plaintiffs
22
23
24
25
26
27
28

Winston & Strawn LLP
101 California Street
San Francisco, CA 94111-5802

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~[PROPOSED]~~ ORDER

Upon consideration of the Notice of Settlement, THE COURT HEREBY ORDERS THAT:

The settlement conference currently scheduled for July 2, 2014 is taken off the calendar.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 6/24/14



HON. KANDIS A. WESTMORE
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT