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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

MARTIN ARNAUDOV, IVAN)
 VELICHKOV, MIHAIL SLAVKOV,)
 VICTOR DRAGNI, SERGHEY DRAGNI,)
 DRAGAN LERINC, NIKOLA VLAOVIC,)
 JAMES MCKENZIE, ERIC OLSON,)
 FRANCISCO MAGANA, AND)
 BOZHIDAR MIRCHEV, INDIVIDUALS,)

PLAINTIFFS,)

v.)

CALIFORNIA DELTA MECHANICAL,)
 INC., A CORPORATION; DELTA)
 MECHANICAL, INC., A CORPORATION;)
 NEVADA DELTA MECHANICAL, INC.,)
 A CORPORATION; TODOR KITCHUKOV,)
 AN INDIVIDUAL; AND DOES 1 THROUGH 8,)
 INCLUSIVE,)

DEFENDANTS.)

CASE No. CV 13-2306 NC

**STIPULATION TO APPOINT
 ARBITRATOR TO DETERMINE
 PLAINTIFFS' ATTORNEY'S FEES
 AND COSTS PURSUANT TO
 SETTLEMENT AGREEMENT;
~~PROPOSED~~ ORDER THEREON
 AS MODIFIED**

1 WHEREAS, the parties entered into a settlement agreement that provides an
2 arbitrator will determine Plaintiff's reasonable attorney's fees and costs;

3 WHEREAS, on May 1, 2015, the Court informed the parties that it could not issue
4 a ruling relating to the Renewed Joint Motion For Approval Of Settlements of FLSA and
5 PAGA Claims prior to a determination of Plaintiffs' attorney's fees and costs to be paid
6 under the settlement agreement;

7 IT IS HEREBY STIPULATED that pursuant to the parties' settlement agreement,
8 the parties shall:

9 (1) no later than Friday, May 8, 2015, select an arbitrator to address the
10 outstanding issue of the amount of attorney's fees and costs to be paid under the
11 settlement agreement by Defendants, all in accordance with the selection method set forth
12 in the settlement agreement;

13 (2) immediately retain the selected arbitrator after the decision, whose services
14 shall be paid by Defendants;

15 (3) Plaintiffs' shall submit their moving papers within 20 days of the arbitrator's
16 appointment;

17 (4) the opposition and reply papers shall be submitted in accordance with the
18 Federal Rules of Procedure or as directed by the arbitrator; and

19 (5) the parties shall submit to the Court the arbitrator's determination regarding the
20 amount of attorney's fees and costs within 10 days of the parties' receipt of same, along
21 with the amended settlement agreements and other papers deemed necessary for the
22 parties' request for approval of same.

23
24 DATE: MAY 4, 2015

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25
26 BY: /S/ KEVIN WOODALL
27 KEVIN F. WOODALL
28 ATTORNEYS FOR PLAINTIFFS

1
2 DATE: MAY 4, 2015

CHEIFETZ IANNITELLI MARCOLINI, P.C.

3
4 BY: /s/ CLAUDIO E. IANNITELLI
5 CLAUDIO E. IANNITELLI
6 ATTORNEYS FOR DEFENDANTS

7 **ORDER**

8 For good cause shown, the parties' stipulation is approved. IT IS HEREBY
9 ORDERED that the parties shall:

10 (1) no later than Friday, May 8, 2015, select an arbitrator to address the
11 outstanding issue of the amount of attorney's fees and costs to be paid under the
12 settlement agreement by Defendants, all in accordance with the selection method set forth
13 in the settlement agreement;

14 (2) immediately retain the selected arbitrator after the decision, whose services
15 shall be paid by Defendants;

16 (3) Plaintiffs' shall submit their moving papers within 20 days of the arbitrator's
17 appointment;

18 (4) the opposition and reply papers shall be submitted in accordance with the
19 Federal Rules of Procedure or as directed by the arbitrator; and

20 (5) the parties shall submit to the Court the arbitrator's determination regarding the
21 amount of attorney's fees and costs within 10 days of the parties' receipt of same, along
22 with the amended settlement agreements and other papers deemed necessary for the
23 parties' request for approval of same.

24 (6) The joint motion for approval of settlements of FLSA and PAGA claims set for
25 May 27, 2015 is VACATED.

26 Dated: May 5, 2015

HON. NATHANAEL M. COUSINS
UNITED STATES MAGISTRATE JUDGE

