

1 Ryan M. Sandrock (SBN 251781)  
 2 rsandrock@sidley.com  
 3 SIDLEY AUSTIN LLP  
 4 555 California Street, Suite 2000  
 5 San Francisco, California 94104

6 Joel S. Feldman (admitted *pro hac vice*)  
 7 jfeldman@sidley.com  
 8 Lisa E. Schwartz (admitted *pro hac vice*)  
 9 lschwartz@sidley.com  
 10 SIDLEY AUSTIN LLP  
 11 One South Dearborn Street  
 12 Chicago, Illinois 60603

13 Steven J. Brodie (admitted *pro hac vice*)  
 14 sbrodie@carltonfields.com  
 15 Aaron S. Weiss (admitted *pro hac vice*)  
 16 aweiss@carltonfields.com  
 17 CARLTON FIELDS, P.A.  
 18 100SE Second Street, Suite 4200  
 19 Miami, Florida 33131

20 Attorneys for Defendants  
 21 TRACFONE WIRELESS, INC., d.b.a.  
 22 STRAIGHT TALK WIRELESS, and  
 23 WAL-MART STORES, INC.

24 UNITED STATES DISTRICT COURT  
 25 NORTHERN DISTRICT OF CALIFORNIA  
 26 SAN FRANCISCO DIVISION

27 DAVID HANSELL, EDWARD TOOLEY, and )  
 28 CHRISTOPHER VALDEZ, individually and )  
 on behalf of all others similarly situated, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 TRACFONE WIRELESS, INC., d.b.a. )  
 STRAIGHT TALK WIRELESS, and WAL- )  
 MART STORES, INC., )  
 )  
 Defendants. )

Case No. 13-cv-03440-EMC

**JOINT STIPULATION AND [PROPOSED  
 ORDER] REGARDING MODIFIED CASE  
 SCHEDULE PURSUANT TO LOCAL  
 RULES 6-1(b), 6-2, AND 7-12**



1           WHEREAS, pursuant to the Court's May 23, 2014 orders, as amended by the Court's August  
2 26, 2014 order adopting the parties' stipulation to modify case schedule, the current schedule is as  
3 follows:

4           September 30, 2014	Completion of Confirmatory Discovery Re: Settlement
5           October 8, 2014	Opposition to Motion for Preliminary Approval
6           October 29, 2014	Reply in Support of Motion for Preliminary Approval
7           November 13, 2014, 1:30 p.m. 8           (or as soon thereafter as may be 9           convenient to the Court)	Hearing on Motion for Preliminary Approval/CMC

10           WHEREAS, the parties are continuing to negotiate in a good faith effort to resolve the  
11 pending disputes, with a continued mediation scheduled on October 30, 2014.

12           WHEREAS, the parties agree that a temporary stay on all aspects of the litigation should be  
13 put into place during the parties' negotiations, including a stay on all briefing deadlines, hearings,  
14 motions practice, and discovery.

15           WHEREAS, the parties agree that, to inform the Court of the status of the parties'  
16 negotiations, the November 13, 2014 Case Management Conference should be retained on the case  
17 schedule.

18           WHEREAS, the parties agree that, in the event they are unable to resolve the pending  
19 disputes, additional time will be necessary to complete confirmatory discovery and to brief  
20 Preliminary Approval regarding the pending settlement.

21           WHEREAS, the Court has previously ordered the following time modifications:

22           *Hansell* Dkt. 27, 28: Extending time to file answer;

23           *Hansell* Dkt. 61, *Blaqmoor* Dkt. 29, *Gandhi* Dkt. 29: Rescheduling CMC;

24           *Blaqmoor* Dkt. 16, *Gandhi* Dkt. 16: Modifying schedule on arbitration motion;

25           *Hansell* Dkt. 72, *Blaqmoor* Dkt. 38, *Gandhi* Dkt. 50: Rescheduling hearing on  
26 motion to stay; and  
27  
28

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

*Hansell* Dkt. 88, *Gandhi* Dkt. 53, *Blaqmoor* Dkt. 52 *Browning* Dkt. 106: Extending discovery cut-off and briefing deadline on motion for preliminary approval by eight days.

WHEREFORE, the parties stipulate to the following modified schedule staying discovery and then, if necessary, re-opening discovery, extending the briefing schedule on the motion for preliminary approval, and continuing the hearing on that motion:

September 30, 2014	Stay of Confirmatory Discovery Re: Settlement
November 13, 2014, 1:30 p.m. (or as soon thereafter as may be convenient to the Court)	CMC (at 10:15 a.m.)
November 13, 2014	Re-opening of Confirmatory Discovery Re: Settlement
December 19, 2014	Completion of Confirmatory Discovery Re: Settlement
January 5, 2015	Opposition to Motion for Preliminary Approval
January 26, 2015	Reply in Support of Motion for Preliminary Approval
February 12, 2015, 1:30 p.m. (or as soon thereafter as may be convenient to the Court)	Hearing on Motion for Preliminary Approval

**IT IS SO STIPULATED.**

1 DATED: October 2, 2014

Respectfully submitted,

2 SIDLEY AUSTIN LLP

3 By: /s/ Joel S. Feldman

4 Joel S. Feldman (admitted *pro hac vice*)

5 jfeldman@sidley.com

6 Lisa E. Schwartz (admitted *pro hac vice*)

7 lschwartz@sidley.com

8 SIDLEY AUSTIN LLP

9 One South Dearborn Street

10 Chicago, Illinois 60603

11 Ryan M. Sandrock (SBN 251781)

12 rsandrock@sidley.com

13 SIDLEY AUSTIN LLP

14 555 California Street, Suite 2000

15 San Francisco, California 94104

16 Steven J. Brodie (admitted *pro hac vice*)

17 sbrodie@cfjblaw.com

18 Aaron S. Weiss (admitted *pro hac vice*)

19 aweiss@cfjblaw.com

20 CARLTON FIELDS JORDEN BURT, P.A.

21 Miami Tower

22 100 SE Second Street, Suite 4200

23 Miami, FL 33131-2119

24 *Attorneys for Defendants*

25 DATED: October 2, 2014

26 By: /s/ Michael W. Sobol

27 Michael W. Sobol (State Bar No. 194857)

28 Roger N. Heller (State Bar No. 215348)

Nicole D. Sugnet (State Bar No. 246255)

LIEFF CABRASER HEIMANN &  
BERNSTEIN

275 Battery Street, 29<sup>th</sup> Floor

San Francisco, CA 94111

Telephone: (415) 956-1000

msobol@lchb.com

nreynolds@lchb.com

*Attorneys for the Hansell, Blaqmoor, and  
Gandhi Plaintiffs*

1 DATED: October 2, 2014

By: /s/ Clayeo C. Arnold  
Clayeo C. Arnold (State Bar No. 65070)  
Christine M. Doyle (State Bar No. 106865)  
Clayeo C. Arnold  
A PROFESSIONAL LAW CORPORATION  
865 Howe Avenue  
Sacramento, California 95825  
Telephone: (916) 924-3100  
Facsimile: (916) 924-1829  
clay@justice4you.com  
cdoyle@justice4you.com

8 J. Andrew Meyer (admitted *pro hac vice*)  
9 John A. Yanchunis (admitted *pro hac vice*)  
10 Rachel Soffin (admitted *pro hac vice*)  
11 MORGAN & MORGAN  
12 COMPLEX LITIGATION GROUP  
13 201 North Franklin Street, 7th Floor  
14 Tampa, Florida 33602  
15 Telephone: (813) 223-5505  
16 Facsimile: (813) 222-4787  
17 Email: ameyer@forthepeople.com  
18 jyanchunis@forthepeople.com  
19 rsoffin@forthepeople.com

*Attorneys for the Browning Plaintiffs*

16 **SIGNATURE ATTESTATION**

17 I am the ECF User whose identification and password are being used to file the foregoing  
18 document. In compliance with General Order 45.X.B., I hereby attest that the signatory has  
19 concurred in this filing.

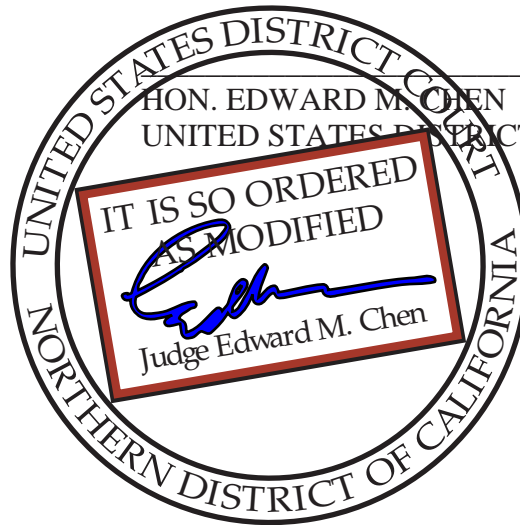
20 Dated: October 2, 2014

SIDLEY AUSTIN LLP

21 By: /s/ Ryan M. Sandrock  
22  
23  
24  
25  
26  
27  
28

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** (as modified above).  
2 Further CMC set for 11/13/14 at 10:15 a.m. (not 1:30 p.m.) An updated  
3 joint CMC statement shall be filed by 11/6/14.

4 DATED: 10/6/14



7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28