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18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20
 21 MICHAEL DEATRICK, individually and on
 behalf of all others similarly situated, and as
 22 representative of the State of California, et al.

23 Plaintiff,

24 v.

25 SECURITAS SECURITY SERVICES USA,
 INC.,

26 Defendant.
 27
 28

Case No.: 3:13-cv-5016 JST

**STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING SETTLEMENT
 AND VACATING MOTION DATES**

1 Plaintiffs Michael Deatrick, the Opt-in Plaintiffs, and Defendant Securitas Security Services
2 USA, Inc. (“Securitas USA”) hereby stipulate and agree as follows:

3 WHEREAS, the parties participated in a private mediation on April 22, 2015;

4 WHEREAS, although the parties were unable to resolve the case at mediation, settlement
5 discussions continued with the mediator’s assistance;

6 WHEREAS, the parties have now reached agreement on general terms to settle this matter on
7 behalf of all opt-in plaintiffs nationwide and a conditionally-certified California Rule 23 class or classes;

8 WHEREAS, the parties require sufficient time to finalize and document terms of settlement and
9 prepare and file a motion for conditional certification and preliminary approval;

10 WHEREAS, the proposed settlement would include a schedule for Securitas USA to make
11 changes to its vacation-pay policies nationwide and Securitas USA requires time to implement such
12 changes;

13 WHEREAS, Securitas USA has filed (1) a Motion to Enforce Collective Action Waiver of
14 Covered Plaintiffs Pursuant to Dispute Resolution Agreements [ECF 135], and (2) a Motion for Partial
15 Summary Judgment as to Employees Subject to Collective Bargaining Agreements [ECF 136], both
16 currently set for hearing on July 16, 2015.

17 WHEREAS, the parties have agreed that Securitas USA may withdraw its pending motions
18 without prejudice to re-filing, and that agreement to settlement and to conditional Rule 23 certification
19 shall not act as a waiver of any argument or issue in the motions if the anticipated settlement does not
20 become final.

21 The Parties THEREFORE STIPULATE, AGREE AND REQUEST AS FOLLOWS:

- 22 1. That Securitas USA withdraws its pending motions and the Court vacates the hearing
23 date of July 16, 2015, on the (1) Motion to Enforce Collective Action Waiver of Covered
24 Plaintiffs Pursuant to Dispute Resolution Agreements [ECF 135] and (2) Motion for
25 Partial Summary Judgment as to Employees Subject to Collective Bargaining
26 Agreements filed by Securitas USA [ECF 136].
- 27 2. That Securitas USA may re-file said motions without prejudice in the event the
28 anticipated settlement in this matter does not become final.

