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15 Attorneys for Defendant,  
 16 SECURITAS SECURITY SERVICES USA, INC.

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

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

21 Plaintiffs,

22 v.

23 SECURITAS SECURITY SERVICES USA,  
 24 INC.,

25 Defendant.

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

**STIPULATION AND ~~PROPOSED~~  
 ORDER VACATING TRIAL DATE**

1 Plaintiff Michael Deatruck, individually and as representative of the conditionally-certified  
2 California settlement class, the FLSA opt-in plaintiffs and Defendant Securitas Security Services USA,  
3 Inc. (“Defendant”) hereby stipulate and request that the Court vacate the trial date and final pretrial  
4 conference date based on the settlement of the Parties and the concurrent filing of Plaintiff’s Amended  
5 Motion for Preliminary Approval of Settlement.

6 **Reasons for the Requested Relief**

7 Plaintiff filed a Motion for Conditional Class Certification and Preliminary Approval of  
8 Settlement (ECF 152) on November 9, 2015. Hearing on the motion was set for January 7, 2016.

9 On December 21, 2015, this Court issued an Order Vacating Hearing (ECF 154) finding the  
10 motion suitable for disposition without oral argument and vacating the hearing date.

11 On February 24, 2016, this Court issued an Order Granting Motion for Conditional Class  
12 Certification and Denying Motion for Preliminary Approval of Settlement (ECF 155), in which the  
13 Court denied preliminary settlement approval for reasons related to the notice and claims process for the  
14 California settlement class.

15 Immediately upon receipt of the Court’s Order, the Parties, through counsel, began  
16 communicating and negotiating to reform their proposed settlement and address the issues raised by the  
17 Court.

18 The Parties have reached agreement and have executed an Amended Joint Stipulation and  
19 Settlement of Class Action Claims. This agreement for settlement has been submitted as a supporting  
20 document to Plaintiff’s Amended Motion for Preliminary Approval of Settlement, which has been  
21 concurrently filed the same day as this stipulation.

22 By Scheduling Order (ECF 128) dated April 30, 2015, this Court set the following dates related  
23 to trial of this matter:

- 24 • Final pretrial conference 3/25/16 at 2:00 p.m.
- 25 • Trial to commence 4/11/16 at 8:30 a.m.

26 **Previous Time Modifications**

27 These dates have not been previously modified.

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2 **Effect on Case Schedule**

3 Vacating the pretrial conference and trial dates would allow the Court to rule on the concurrent  
4 and pending Amended Motion for Preliminary Approval of Settlement and to resolve the case without  
5 trial.

6 **STIPULATION**

7 Based on the matters set forth above, THE PARTIES HEREBY STIPULATE AND REQUEST,  
8 by and through their respective counsel, as follows:

- 9 • That the Court vacate the date for the pretrial conference, currently set for  
10 3/25/16 at 2:00 p.m.  
11 • That the Court vacate the dates for trial, currently set to commence on 4/11/16  
12 at 8:30 a.m.

13 Pursuant to Local Rule 5-1(i)(3), the undersigned filer of this document hereby attests that  
14 concurrence in the filing has been obtained from each of the other signatories, which shall serve in lieu  
15 of their signatures on the document.

16 IT IS SO STIPULATED.

17 Dated: March 8, 2016

LITTLER MENDELSON PC  
J. KEVIN LILLY

19 THARPE & HOWELL, LLP

20 By: /s/ Sherry B. Shavit  
21 SHERRY B. SHAVIT  
22 Attorneys for Defendant,  
SECURITAS SECURITY SERVICES USA,  
INC.

24 Dated: March 8, 2016

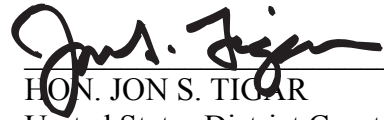
PROMETHEUS PARTNERS L.L.P.

25 By: /s/ John R. Hurley  
26 JOHN R. HURLEY  
27 Attorneys for Plaintiffs,  
MICHAEL DEATRICK, et al.  
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 9, 2016

  
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HON. JON S. TIGAR  
United States District Court Judge