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25 XANITOS, INC.

26 Attorneys for Defendant XANITOS, INC.
27 and KAISER FOUNDATION HOSPITALS

28 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAULA DONALD, on behalf of herself,
all others similarly situated, and the general
public,

Plaintiff,

vs.

XANITOS, INC., a Delaware corporation,
KAISER FOUNDATION HOSPITALS, a
California corporation, and DOES 1
through 10, inclusive,

Defendants.

Case No. 3:14-cv-05416-WHO

PUTATIVE CLASS ACTION

**JOINT STIPULATION AND ORDER TO
VACATE PRETRIAL DEADLINES**

1 Pursuant to Civil Local Rule 7-12 of the United States District Court for the Northern
2 District of California, the Parties to the above entitled action, Plaintiff PAULA DONALD
3 (“Plaintiff,”), Defendant XANITOS, INC. (“Xanitos”), and Defendant KAISER FOUNDATION
4 HOSPITALS (“Kaiser”) (collectively referred to as the “Parties”), by and through their
5 undersigned counsel, enter into the following Stipulation:

6 WHEREAS on April 19, 2016, the parties mediated before respected neutral Mark Rudy;

7 WHEREAS the parties successfully reached an agreement to resolve all claims in the
8 above-entitled action;

9 WHEREAS a Memorandum of Understanding, outlining the material terms has been
10 executed by all parties;

11 WHEREAS since the April 19, 2016 meditation, the parties have diligently continued
12 negotiations, and recently reached agreement as to all of the final terms of full Settlement
13 Agreement and Release of Claims;

14 WHEREAS on July 11, 2016, the Parties exchanged a draft Motion for Preliminary
15 Approval;

16 WHEREAS Plaintiff intends to file her Motion for Preliminary Approval within two (2)
17 weeks and by July 26, 2016;

18 WHEREAS the Court’s October 21, 2015 Order scheduled various deadlines related to
19 certification including a hearing on August 31, 2016 at 2:00 p.m. regarding Plaintiff’s Motion for
20 Class Certification;

21 WHEREAS, the Parties agree it would be appropriate to vacate the deadlines for
22 Plaintiff’s Motion for Class Certification, Defendant’s Response to a Motion for Class
23 Certification and Plaintiff’s Reply thereto, pending approval of the Settlement;

24 WHEREAS the Parties request to maintain the hearing currently scheduled for August
25 31, 2016 at 2:00 p.m. for purposes of the Motion for Preliminary Approval that will be filed by
26 July 26, 2016;

27 NOW THEREFORE, the Parties agree and stipulate to vacate all deadlines related to
28 certification, pending approval of the Settlement. Such deadlines include the deadlines for

1 Plaintiff's Motion for Class Certification, Defendant's Response to a Motion for Class
2 Certification and Plaintiff's Reply thereto. These dates will be reset in the event the Settlement is
3 not approved. The hearing currently scheduled for August 31, 2016 at 2:00 p.m. will be
4 maintained for purposes of the Motion for Preliminary Approval that will be filed by July 26,
5 2016.

6
7 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

8
9 DATED: July 14, 2016

GORDON REES LLP

/s/ Sara A. Moore

By _____

Sara A. Moore
Attorneys for Defendant
XANITOS, INC. AND KAISER FOUNDATION
HOSPITALS, INC.

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17 DATED: July 14, 2016

HOFFMAN EMPLOYMENT LAWYERS

/s/ Stephen Noel Ilg

BY _____

Michael Hoffman
Leonard Emma
Stephen Noel Ilg

Attorneys for Plaintiffs
PAULA DONALD *et al.*

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24 **CONCURRENCE IN FILING**

25 I, Stephen Noel Ilg, hereby attest, pursuant to N.D. Cal. Local Rule 5-1(i)(3) that
26 concurrence to the filing of this document has been obtained from each signatory.

27 By: /s/ Stephen Noel Ilg

28 Attorneys for Plaintiffs

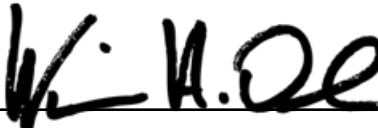
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PURSUANT TO STIPULATION, IT IS ORDERED AS FOLLOWS:

All deadlines related to certification, pending approval of the Settlement are hereby vacated. Such deadlines include the deadlines for Plaintiff's Motion for Class Certification, Defendant's Response to a Motion for Class Certification and Plaintiff's Reply thereto. These dates will be reset in the event the Settlement is not approved. The hearing currently scheduled for August 31, 2016 at 2:00 p.m. will be maintained for purposes of the Motion for Preliminary Approval.

IT IS SO ORDERED.

Dated: July 16, 2016


United States District Judge