1 2 3 4 5 6 7 8 9		S DISTRICT COURT RICT OF CALIFORNIA
-	NORTHERN DISTR	
11 12	JUSTIN HOLMBY and RUBEN SILVA on) CASE NO. 15-cv-03382-RS
13	behalf of themselves and all others similarly situated,) <u>CLASS ACTION</u>
14	Plaintiffs,	 JOINT NOTICE OF TENTATIVE SETTLEMENT AND JOINT REQUEST
15	v.) TO VACATE EXISTING DATES;) [PROPOSED] ORDER
16	CARDINAL LOGISTICS MANAGEMENT CORPORATION,)
17)
18	Defendant.	
19)
20		
21		
22		
23		
24 25		
23 26		
20		
28		
		1
	Joint Notice of Settlement and	Request to Vacate Existing Dates; [Proposed] Order
		Case No. 15-cv-08288. Ristia.com

1	Additional Attorneys for Plaintiffs:
2	TOWER LEGAL GROUP, PC James A. Clark, Esq. (SBN 278372)
4	1510 J Street, Suite 125 Sacramento, California 95814
5	Telephone: (916) 361-6009 Facsimile: (916) 361-6019
	james.clark@towerlegalgroup.com
6 7	THE TURLEY LAW FIRM, APLC William Turley, Esq. (SBN 122408)
8	bturley@turleylawfirm.com David Mara, Esq. (SBN 230498)
9	dmara@turleylawfirm.com 7428 Trade Street
10	San Diego, California 92121 Telephone: (619) 234-2833
11	Facsimile: (619) 234-2035
12	Attorneys for Defendants:
13	THEODORA ORINGHER PC
14	Drew R. Hansen, Esq. (SBN 218382) dhansen@tocounsel.com
15	Walter Pena, Esq. (SBN 247469) wpena@tocounsel.com
16	Kenneth E. Johnson, Esq. (SBN 115814)
17	kjohnson@tocounsel.com 535 Anton Boulevard, Ninth Floor
18	Costa Mesa, California 92626-7109 Telephone: (714) 549-6200
19	Facsimile: (714) 546-6201
20	
21	
22	
23	
24	
25	
26	
27	
28	
	2
	Joint Notice of Settlement and Request to Vacate Ex

1	TO THE HONORABLE COURT AND CLERK OF THE COURT:			
2	Plaintiffs, JUSTIN HOLMBY and RUBEN SILVA (hereinafter "Plaintiffs"), on behalf of			
3	themselves and all others similarly situated, and Defendant CARDINAL LOGISTICS			
4	MANAGEMENT CORPORATION ("Defendant"), by and through their respective attorneys of			
5	record, hereby recite and stipulate as follows:			
6	RECITALS			
7	WHEREAS, the Parties participated in a mediation for two days on February 26, 2016 with			
8	mediator Michael Dickstein;			
9	WHEREAS, following protracted negotiations the parties have reached a tentative			
10	settlement of the within action;			
11	WHEREAS, at the conclusion of the mediation a Memorandum of Understanding ("MOU"),			
12	memorializing and reflecting the terms of the agreement was agreed.			
13	WHEREAS, defendant, its attorneys of record and counsel on behalf of plaintiffs have fully			
14	executed a binding settlement as a Memorandum of Understanding on February 29, 2016 ("MOU")			
15	as described.			
16	WHEREAS, the Parties acknowledge and agree and commit to work in a good faith effort to			
17	reach a final settlement agreement regarding any additional terms within thirty (30) days after			
18	execution of the MOU.			
19	WHEREAS, plaintiffs intend to file a motion for preliminary approval of the class action			
20	settlement on or before April 29, 2016.			
21	WHEREAS, judicial economy would be served by vacating the existing dates, including a			
22	CMC currently scheduled for April 7, 2016, at 10 a.m., with the Court setting future dates as it feels			
23	are necessary.			
24	STIPULATION AND REQUEST			
25	NOW THEREFORE, the parties hereby stipulate and respectfully propose as follows:			
26	1. That the Court vacate the Case Management Conference set for April 7, 2016, with the			
27	Court setting future dates as it feels are necessary.			
28				
	3			
	Joint Notice of Settlement and Request to Vacate Existing Dates; [Proposed] Order Case No. 15-cv-03382-RS			

1	2. That the Parties be accorded until April 29, 2016 to file the Motion for Preliminary		
2		Approval of Class Action Set	ttlement.
3	SO REQU	UESTED AND STIPULATE	D:
4 5	DATED:	March 18, 2016	MARLIN & SALTZMAN, LLP TOWER LEGAL GROUP, PC
6			By: /s/ Christina A. Humphrey
7			Christina A. Humphrey, Esq.
8			James A. Clark, Esq. Attorneys for Plaintiffs
9			
9	DATED:	March 18, 2016	THE TURLEY LAW FIRM, A PLC
10			By: /s/ Dave Mara
			William Turley, Esq.
12			David Mara, Esq. Attorneys for Plaintiffs
13			
14	DATED:	March 18, 2016	CROWELL & MORING LLP
15			By: /s/ Thomas P. Gies
16			Thomas P. Gies, Esq. Attorney for Defendants
17			Theomey for Defendants
18	DATED:	March 18, 2016	THEODORA ORINGHER PC
19			
20			By: <u>/s/ Drew R. Hansen</u> Drew R. Hansen, Esq.
21			Attorney for Defendants
22		STON	
23	In		ATURE ATTESTATION Puls 5. $1(i)(2)$ Lattast that consumptions in the filing of this
24			Rule $5-1(i)(3)$, I attest that concurrence in the filing of this
25		has been obtained from the sig	gnatories on this e-filed document.
26	DATED:	March 18, 2016	By: <u>/s/ Christina A. Humphrey</u> Christina A. Humphrey, Esq.
27			,
28			
			4
	Joint Notice of Settlement and Request to Vacate Existing Dates; [Proposed] Orde		
			Case No. 15-cv-03382-R

1	[PROPOSED] ORDER	
2	PURSUANT TO THE STIPULATION OF THE PARTIES, and finding good cause therein,	
3	IT IS ORDERED that:	
4	1. The Case Management Conference set for April 7, 2016 is now vacated along with any	
5	deadlines associated with said date. The Court will set any future dates as is deemed	
6	necessary.	
7	2. The deadline for Plaintiff to file the Motion for Preliminary Approval of Class Action	
8	Settlement is set for April 29, 2016, based on the agreed to terms of the Memorandum of	
9	Understanding executed by the parties.	
10	This Serlin	
11	DATED: <u>3/21/16</u> HON. Y VONNE GONZALEZ ROGERS RICHARD SEE	BORG
12	UNITED STATES COURT JUDGE	
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
	5 Joint Notice of Settlement and Request to Vacate Existing Dates; [Proposed] Order	
	Case No. 15-cv-03382-RS	