

1 DLA PIPER LLP (US)  
 2 ANGELA C. AGRUSA, Bar No. 131337  
 3 angela.agrusa@dlapiper.com  
 4 DAVID B. FARKAS, Bar No. 257137  
 5 david.farkas@dlapiper.com  
 6 2000 Avenue of the Stars  
 7 Suite 400 North Tower  
 8 Los Angeles, California 90067-4704  
 9 Telephone: 310.595.3000  
 10 Facsimile: 310.595.3300

11 Attorneys for Defendants HILTON  
 12 WORLDWIDE HOLDINGS, INC. and  
 13 HILTON GRAND VACATIONS  
 14 COMPANY, INC.

15 United States District Court  
 16 Northern District of California

17 TIMOTHY ELDER, individually  
 18 and on behalf of all others similarly  
 19 situated,

20 Plaintiff,

21 vs.

22 HILTON WORLDWIDE  
 23 HOLDINGS, INC. and HILTON  
 24 GRAND VACATIONS  
 25 COMPANY, INC.,

26 Defendant.

Case No. 3:16-cv-00278

**STIPULATION AND ~~PROPOSED~~  
 ORDER REGARDING DEADLINES IN  
 LIGHT OF SETTLEMENT**

**Action Filed: January 15, 2016**

1 Plaintiff Timothy Elder (“Plaintiff”), Defendants Hilton Worldwide Holdings  
2 Inc. and Hilton Grand Vacations Company, LLC (collectively, “Hilton”), and  
3 Blackhawk Engagement Solutions, Inc. (“Blackhawk”) (collectively “the parties”),  
4 through their respective counsel of record, hereby stipulate and agree as follows:

5 WHEREAS, Plaintiff filed this action on January 15, 2016;

6 WHEREAS, on March 22, 2017, Plaintiff filed his First Amended Class  
7 Action Complaint. Dkt. No. 55;

8 WHEREAS, on January 3, 2018, the Court referred this matter to the  
9 Honorable Joseph C. Spero for a settlement conference. Dkt. No. 100;

10 WHEREAS, the parties participated in a settlement conference with Judge  
11 Spero on February 8, 2018 and a settlement in principle was reached. Dkt. No. 121;

12 WHEREAS, the parties have executed a settlement term sheet resolving the  
13 claims in this action;

14 WHEREAS, the parties have agreed to prepare a formal settlement  
15 agreement whereby they intend to resolve the entire action as to all parties and have  
16 agreed to move for preliminary approval of the settlement on or before April 13,  
17 2018;

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24

25

26

27

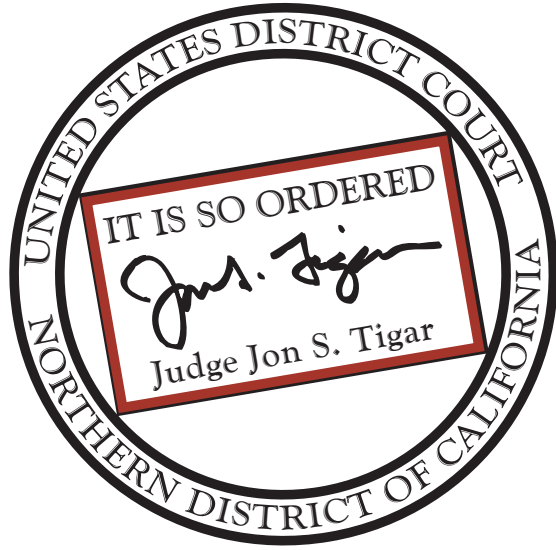
28

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

NOW THEREFORE, the parties, by and through their respective counsel of record and subject to the Court's approval, hereby stipulate as follows:

1. The pending deadlines for all parties shall be extended until 30 days after the motion for preliminary approval of the settlement is decided.
2. Plaintiff and Hilton agree that Plaintiff shall file its unopposed motion for preliminary approval of the settlement on or before April 13, 2018.
3. The proposed preliminary approval Order to be submitted in conjunction with Plaintiff's unopposed motion for preliminary approval shall vacate all deadlines except as specifically related to settlement of this matter.

**SIGNATURES APPEAR ON THE FOLLOWING PAGES**



1 Dated: March 15, 2018

2 DLA PIPER LLP (US)

3 By/s/ Angela C. Agrusa

4 ANGELA C. AGRUSA  
5 Attorneys for Defendants HILTON  
6 WORLDWIDE HOLDINGS, INC. and  
7 HILTON GRAND VACATIONS  
8 COMPANY, INC.

9 BURSOR & FISHER, P.A.

10 By: /s/ L. Timothy Fisher

11 L. Timothy Fisher  
12 L. Timothy Fisher (State Bar No. 191626)  
13 1990 North California Blvd., Suite 940  
14 Walnut Creek, CA 94596  
15 Telephone: (925) 300-4455  
16 Facsimile: (925) 407-2700  
17 E-Mail: ltfisher@bursor.com

18 LAW OFFICE OF JANA EISINGER, PLLC

19 Jana Eisinger (*pro hac vice*)  
20 4610 South Ulster Street, Suite 150  
21 Denver, CO 80237  
22 Telephone: (303) 209-0266  
23 Facsimile: (303) 353-0786  
24 E-Mail: jeisinger@eisingerlawfirm.com  
25 *Attorneys for Plaintiff*

26 BAKER & HOSTETLER LLP

27 By: /s/ Matthew D. Pearson

28 Matthew D. Pearson  
1801 California Street, Suite 4400  
Denver, CO 80202-2662  
Telephone: (303) 861-0600  
Facsimile: (303) 861-7805  
E-Mail: mpearson@bakerlaw.com

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

BAKER & HOSTETLER LLP  
Jason F. Hoffman (admitted pro hac vice)  
1050 Connecticut Avenue, NW, Suite 1100  
Washington, DC 20036-5304  
Telephone: (202) 861-1500  
Facsimile: (202) 861-1783  
Email: jhoffman@bakerlaw.com

*Attorneys for Defendant Blackhawk  
Engagement Solutions, Inc.*

**SIGNATURE CERTIFICATION**

I hereby certify that the content of this document is acceptable to L. Timothy Fisher and Jana Eisinger, counsel for Plaintiff, and Matthew D. Pearson and Jason F. Hoffman, attorneys for Defendant Blackhawk Engagement Solutions, Inc., and I have obtained authorization to affix an electronic signature to this document.

Dated: March 15, 2018

DLA PIPER LLP (US)

By /s/ Angela C. Agrusa  
ANGELA C. AGRUSA  
Attorneys for Defendants HILTON  
WORLDWIDE HOLDINGS, INC. and  
HILTON GRAND VACATIONS  
COMPANY, INC.