

1 KEMNITZER, BARRON, & KRIEG, LLP
 2 BRYAN KEMNITZER Bar No. 066401
 3 ELLIOT CONN Bar No. 279920
 4 445 Bush St., 6th Floor
 5 San Francisco, CA 94108
 6 Telephone: (415) 632-1900
 7 bryan@kbklegal.com
 8 elliot@kbklegal.com

9 EAST BAY COMMUNITY LAW CENTER
 10 SHARON DJEMAL Bar No. 208461
 11 3130 Shattuck Ave.
 12 Berkeley, CA 94705
 13 Telephone: (510) 269-6612
 14 Facsimile: (510) 849-1536
 15 sdjema@ebclc.org

Attorneys for Plaintiff Winifred Cabiness and the putative class

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 WINIFRED CABINESS, individually and on
19 behalf of all others similarly situated,

20 Plaintiff,

21 vs.

22 EDUCATIONAL FINANCIAL SOLUTIONS,
23 LLC DBA CAMPUS DEBT SOLUTIONS,

24 Defendant.

Case No: 3:16-cv-1109-JST

CLASS ACTION

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING AUGUST 23, 2017 CASE
MANAGEMENT CONFERENCE

Date Action Filed: March 4, 2016

1 **COMES NOW THE PARTIES TO THE ABOVE-REFERENCED ACTION AND**
2 **RECITE AND STIPULATE AS FOLLOWS:**

3 WHEREAS, on June 5, 2017, the Parties attended private mediation in this matter with
4 the Honorable Judge Peter D. Lichtman (Ret.) at JAMS;

5 WHEREAS, the Parties executed a Memorandum of Understanding at mediation to
6 resolve this matter based off of certain class statistical data;

7 WHEREAS, due to the need to confirm putative class related statistical data requiring
8 technical consultation as to the size of the putative class, the Parties are still working to finalize
9 the resolution of this matter to conclude their settlement;

10 WHEREAS, the Parties have been diligently working to resolve these technical issues,
11 and the attorneys for the Parties have been communicating with each other several times a week
12 during much of the last two (2) months to address the few remaining issues to resolve this
13 matter;

14 WHEREAS, despite their best efforts, the Parties require additional time in order to
15 confirm the putative class size to complete the process of resolving this matter;

16 WHEREAS, the Court previously set a deadline of August 21, 2017 for Plaintiff to file
17 her Motion for Preliminary Approval of Settlement;

18 WHEREAS, the Court set a Case Management Conference for August 23, 2017 to be
19 vacated should Plaintiff file her Motion for Preliminary Approval by the August 21, 2017
20 deadline;

21 WHEREAS, the Parties agree and believe that a 45-day continuance for Plaintiff to file
22 her Motion for Preliminary Approval of Settlement and a 45-day continuance of the Case
23 Management Conference (should such a conference be necessary) will be a sufficient amount of
24 time for the Parties to complete the additional work necessary to resolve these pending issues
25 (which time frame also considers the intervening Jewish holidays in September that will impact
26 some of the attorneys' schedules next month); and

1 WHEREAS, the Parties have not previously requested that the Court continue any dates
2 or deadlines with respect to this Motion or Case Management Conference.

3 **NOW THEREFORE THE PARTIES STIPULATE AND AGREE AS FOLLOWS:**

- 4 1. The deadline for Plaintiff to file her Motion for Preliminary Approval of
5 Settlement shall be continued for 45 days to October 5, 2017;
- 6 2. The August 23, 2017 Case Management Conference shall be taken off calendar,
7 and rescheduled 45 days later to October 11, 2017, at 2:00 p.m., or on another
8 date that is convenient for the Court;
- 9 3. The continued Case Management Conference shall be vacated if the Motion for
10 Preliminary Approval of Settlement is filed by October 5, 2017; and
- 11 4. The case continues to be stayed for all other purposes.

12 Dated: August 10, 2017

KEMNITZER, BARRON & KRIEG, LLP

13
14 By: /s/Elliot Conn
15 ELLIOT CONN
16 Attorneys for Plaintiff Winifred Cabiness and the
17 putative class

18 Dated: August 10, 2017

GREENSPOON MARDER

19
20 By: /s/Beth-Ann Krimsky
21 Beth-Ann Krimsky
22 Attorneys for Defendants EDUCATIONAL
23 FINANCIAL SOLUTIONS, LLC DBA CAMPUS
24 DEBT SOLUTIONS, DEBT.COM, LLC, BETA
25 INVESTMENT GROUP, INC., EQUITY
26 ACQUISITIONS, LLC, VENTURETECH
27 SOLUTIONS, LLC AND HOWARD DVORKIN

28 PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 11, 2017


HONORABLE JUDGE JON S. TIGAR