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12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15  
 16 VALERIE CASHON, on behalf of herself  
 and all others similarly situated,

17 Plaintiff,

18 v.

19 KINDRED HEALTHCARE  
 20 OPERATING, INC., a Delaware  
 Corporation; GENTIVA CERTIFIED  
 21 HEALTHCARE CORP., a Delaware  
 Corporation; and DOES 1 through 15  
 22 inclusive,

23 Defendants.

Case No. 3:16-cv-04889 RS

**JOINT STIPULATION TO EXTEND  
 DEADLINE TO FILE MOTION FOR  
 PRELIMINARY APPROVAL OF CLASS  
 ACTION SETTLEMENT AND HEARING  
 ON MOTION FOR PRELIMINARY  
 APPROVAL; [~~PROPOSED~~] ORDER**

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11 Attorneys for Defendants  
KINDRED HEALTHCARE OPERATING, INC. and GENTIVA  
12 CERTIFIED HEALTHCARE CORP.

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1 Plaintiff VALERIE CASHON (“Plaintiff”) and Defendants KINDRED  
2 HEALTHCARE OPERATING, INC. and GENTIVA CERTIFIED HEALTHCARE CORP.  
3 (“Defendants”) (collectively, the “Parties”), through their respective counsel, hereby stipulate,  
4 subject to Court approval, as follows.

5 WHEREAS, on November 19, 2017 the parties participated in mediation in this  
6 action;

7 WHEREAS, on November 28, 2017, Plaintiff filed a Notice of Proposed Class  
8 Settlement and Request for Preliminary Approval Hearing Date [Dkt No. 58] in which Plaintiff  
9 informed the court of a proposed settlement and sought a motion for preliminary approval of class  
10 action settlement hearing date in late January 2018;

11 WHEREAS, on November 28, 2017, the Court issued an Order Staying Currently Set  
12 Date and Setting Schedule for Preliminary Approval [Dkt No. 59] in which the Court ordered the  
13 parties to file the motion for preliminary approval by no later than January 11, 2018 and set the  
14 hearing regarding preliminary approval on February 1, 2018 at 1:30 p.m. in Courtroom 3;

15 WHEREAS, the Parties have been and continue to work diligently to prepare the  
16 long-form stipulation regarding class settlement but have not yet finalized that agreement;

17 WHEREAS, the parties need additional time to finalize that agreement after which  
18 the motion for preliminary approval can be filed and heard;

19 WHEREAS, the parties believe that it would be most efficient for the parties and the  
20 Court to continue by at least two weeks the deadline and hearing regarding motion for preliminary  
21 approval;

22 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to  
23 Court approval, as follows:

24 1. The deadline for Plaintiff to file her motion for preliminary approval currently  
25 scheduled for January 11, 2018 shall be continued to January 25, 2018; and

26 2. The hearing on Plaintiff’s motion for preliminary approval currently  
27 scheduled for February 1, 2018 shall be continued to February 15, 2018 or the Court’s earliest  
28 available hearing date thereafter.

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IT IS SO STIPULATED.

Dated: January 10, 2018

/s/ Anthony Perez  
ANTHONY PEREZ  
CHARLES L. POST  
BRENDAN J. BEGLEY  
Attorneys for Plaintiff  
VALERIE CASHON

Dated: January 10, 2018

/s/ Michael E. Brewer  
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LISA LIN GARCIA  
ANGELO SPINOLA  
Attorneys for Defendants  
KINDRED HEALTHCARE OPERATING,  
INC., and GENTIVA CERTIFIED  
HEALTHCARE CORP.

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~~[PROPOSED]~~ ORDER

Having considered the Parties' Joint Stipulation to Extend Deadline to File Motion for Preliminary Approval of Class Action Settlement and Hearing on Motion for Preliminary Approval, and good cause appearing therefor, the Court hereby orders as follows:

1. The deadline for Plaintiff to file her motion for preliminary approval is hereby continued from January 11, 2018 to January 25, 2018;

2. The hearing on Plaintiff's motion for preliminary approval shall be set on ~~February~~ March 1, 2018 at 1:30 pm.

**IT IS SO ORDERED**

Dated: 1/10/18

  
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HON. RICHARD SEEBORG