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11 Attorneys for Plaintiff

12 [Additional Counsel Listed on Following Page]

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

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

18 Plaintiff,

19 v.

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

24 Defendants.

Case No. 3:16-cv-04889 RS

**JOINT STIPULATION TO FURTHER  
 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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14 Attorneys for Defendants  
15 KINDRED HEALTHCARE OPERATING, INC. and GENTIVA  
16 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 January 11, 2018 and set the hearing regarding  
14 preliminary approval on February 1, 2018 at 1:30 p.m. in Courtroom 3;

15 WHEREAS, the Parties have previously requested and the Court approved the  
16 Parties’ request to move the deadline to file the motion for preliminary approval [Dkt Nos. 61-64;  
17 70-73];

18 WHEREAS, the current deadline for Plaintiff to file her motion for preliminary  
19 approval is March 13, 2018;

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

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

24 WHEREAS, the parties believe that it would be most efficient for the parties and the  
25 Court to continue the deadline regarding motion for preliminary approval;

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

28 ///

1           1.       The deadline for Plaintiff to file her motion for preliminary approval currently  
2 scheduled for March 13, 2018 shall be continued to March 27, 2018; and

3           2.       The hearing on Plaintiff’s motion for preliminary approval currently  
4 scheduled for March 29, 2018 shall be continued to April 12, 2018 or the Court’s earliest available  
5 hearing date thereafter.

6                       IT IS SO STIPULATED.

7  
8 Dated: March 13, 2018

9   /s/ Darrin M. Menezes  
10 ANTHONY PEREZ  
11 CHARLES L. POST  
12 BRENDAN J. BEGLEY  
13 DARRIN M. MENEZES  
14 Attorneys for Plaintiff  
15 VALERIE CASHON

16  
17 Dated: March 13, 2018

18   /s/ Lisa Lin Garcia  
19 ELIZABETH STAGGS WILSON  
20 ALISON J. CUBRE  
21 LISA LIN GARCIA  
22 ANGELO SPINOLA  
23 Attorneys for Defendants  
24 KINDRED HEALTHCARE OPERATING,  
25 INC., and GENTIVA CERTIFIED  
26 HEALTHCARE CORP.  
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1 **ATTESTATION**

2 Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that  
3 concurrence in the filing of this document has been obtained from the other signatory above.

4  
5 Dated: March 13, 2018

By: /s/ Lisa Lin Garcia  
Lisa Lin Garcia

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1 ~~[PROPOSED]~~ ORDER

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

5 1. The deadline for Plaintiff to file her motion for preliminary approval is hereby  
6 continued from March 13, 2018 to March 27, 2018;

7 2. The hearing on Plaintiff's motion for preliminary approval shall be set on  
8 April 26, 2018 at 1:30 pm.

9 **IT IS SO ORDERED**

10  
11 Dated: 3/14/18

  
HON. RICHARD SEEBORG

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