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11 *Attorneys for Defendants Best Buy Co.,  
 Inc. and Best Buy Stores, L.P.*

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO/OAKLAND DIVISION

16 JASMEN HOLLOWAY, AMY GARCIA,  
 CHERYL CHAPPEL, ERIC BLACKSHER,  
 17 JESSICA TREAS, LAWRENCE SANTIAGO,  
 JR., MUEMBO MUANZA, MAURICE  
 18 CALHOUN, and NICHOLAS DIXON, on behalf  
 of themselves and all others similarly situated,

19 Plaintiffs,

20 v.

21 BEST BUY CO., INC., and BEST BUY STORES,  
 22 L.P.

23 Defendants.

Case No. C-05-5056 PJH (MEJ)

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER  
 TO FILE DOCUMENTS PREVIOUSLY  
 LODGED UNDER SEAL IN THE PUBLIC  
 RECORD**

1           The parties seek by this stipulation and proposed order to obtain Court permission to  
2 file in the public record certain documents that had previously been provisionally lodged under seal in  
3 connection with Best Buy's motions to strike Plaintiffs' expert reports and Plaintiffs' oppositions  
4 thereto.

5           WHEREAS, in connection with Best Buy's Motion to Strike the Expert Reports of  
6 Barbara Reskin, Ph.D. and Best Buy's Motion to Strike the Expert Reports of Richard Drogin, Ph.D.  
7 (Dkt Nos. 213-2, 213-3), Best Buy lodged the following documents with the Court attached to the  
8 Declaration of Roman M. Silberfeld (Dkt. No. 170), and requested that they be filed under seal:

- 9           Exhibit B - Expert report of Barbara Reskin, Ph.D., dated March 3, 2008
- 10          Exhibit C - Expert report of Barbara Reskin, Ph.D., dated October 14, 2008
- 11          Exhibit D - Expert report Richard Drogin, Ph.D., dated June 17, 2008
- 12          Exhibit F - Excerpts from the certified transcript of the July 10, 2008 rebuttal  
13               deposition of Richard Drogin, Ph.D
- 14          Exhibit G - Exhibit 6 from the July 10, 2008 rebuttal deposition of Richard Drogin,  
15               Ph.D
- 16          Exhibit H - Expert report submitted by Phillip E. Tetlock, Ph.D., dated June 2, 2008
- 17          Exhibit I - Expert rebuttal report submitted by Phillip E. Tetlock, Ph.D., dated  
18               January 9, 2009
- 19          Exhibit L - Expert report submitted by Christopher Winship, Ph.D., dated June 2,  
20               2008
- 21          Exhibit N - Expert report submitted by Michael P. Ward, Ph.D., dated May 9, 2008
- 22          Exhibit O - Expert rebuttal report submitted by Michael P. Ward, Ph.D., dated July  
23               24, 2008
- 24          Exhibit P - Expert report submitted by Finis Welch, Ph.D., dated May 9, 2008
- 25          Exhibit Q - Expert rebuttal report submitted by Finis Welch, Ph. D., dated July 24,  
26               2008
- 27          Exhibit R - Excerpts from the certified transcript of the May 28, 2008 deposition of  
28

1 Kristina Parker

2 Exhibit S - Excerpts from the certified transcript of the May 27, 2008 deposition of  
3 Michael Raines

4 Exhibit T - Exhibit 717 from the May 27, 2008 deposition of Michael Raines

5 WHEREAS, in connection with Plaintiffs' Opposition to Defendants' Motion to Strike The  
6 Expert Report of Dr. Richard Drogin, Plaintiffs provisionally lodged their opposition brief under seal  
7 on April 8, 2009;

8 WHEREAS, in connection with Plaintiffs' Opposition to Defendants' Motion to Strike  
9 The Expert Report of Dr. Richard Drogin, Plaintiffs provisionally lodged the following documents  
10 under seal with the Court, attached to the Declaration of Jamie L. Crook in Support of Plaintiffs'  
11 Oppositions to Defendants' Motions to Strike the Expert Reports of Dr. Richard Drogin and Dr.  
12 Barbara Reskin (Dkt. No. 180):

13 Tab 2 - Appendices 2, 3, 4, and 10 to Dr. Drogin's report

14 Tab 4-B - Exhibit 3 introduced at the September 24, 2008 deposition of Dr. Finis  
15 Welch

16 Tab 4-C - Exhibit 4 introduced at the September 24, 2008 deposition of Dr. Finis  
17 Welch

18 Tab 8 - Excerpts from the August 24, 2007 deposition of Rosalind Chevreuil

19 Tab 9 - Excerpts from the July 24, 2007 deposition of Kristina Parker and  
20 Exhibit 309 introduced at that deposition

21 Tab 10 - Excerpts from the May 28, 2008 deposition of Kristina Parker

22 Tab 11 - Excerpts from the May 27, 2008 deposition of Michael Raines and  
23 Exhibit 714 introduced at that deposition

24 Tab 21 - Excerpts from the August 31, 2007, deposition of Sondra Chadwick and  
25 Exhibit 544 introduced at that deposition

26 Tab 24 - Excerpts from the January 17, 2008, deposition of Larry Amundson and  
27 Exhibit 624 introduced at that deposition

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1 Tab 25 - Exhibit 47 that was introduced at the March 27, 2007, deposition of  
2 Rosalind Chevreuil

3 Tab 27 - Best Buy job descriptions bearing bates-stamps HBB07887124-127,  
4 HBB07887132-136, HBB07887141-143, and HBB07887172-175

5 WHEREAS, in connection with Best Buy's Reply Memorandum in Support of Motions  
6 to Strike, Best Buy lodged the following document provisionally under seal with the Court attached to  
7 the Declaration of Roman M. Silberfeld in Support of Reply Memorandum (Dkt. No. 198):

8 Exhibit R - Compensation Manual, Depo Ex. 533

9 WHEREAS, on March 9, 2010, the Court denied without prejudice Best Buy's request  
10 that these documents be filed under seal;

11 WHEREAS, Best Buy does not intend to again move to file these documents under  
12 seal;

13 WHEREAS, some, but not all, of these documents have already been filed in the public  
14 record in connection with Plaintiffs' Motion for Class Certification or Best Buys' Opposition thereto,  
15 but with different exhibit and docket numbers;

16 THEREFORE, the parties hereby stipulate and agree, and request that the Court order,  
17 that:

- 18 (1) The parties may file in the public record all documents that had previously been  
19 provisionally lodged with the Court under seal in connection with Best Buy's Motion to  
20 Strike Plaintiffs' Expert Reports and Plaintiffs' Opposition thereto and Best Buy's  
21 Replies, including all of the above-listed documents; and  
22 (2) The parties may supply to the Court courtesy copies of the documents so filed, bearing  
23 the proper electronic filing docket number.

24  
25 The parties hereby stipulate, and request that the Court so order.

26 DATED: December 8, 2010

**ALTSHULER BERZON LLP**

27 By: /s/ Eve H. Cervantez

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Attorneys for Plaintiffs

DATED: December 8, 2010

**ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

By: /s/ Roman M. Silberfeld  
Roman M. Silberfeld

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Attorneys for Defendants BEST BUY CO., INC.  
and BEST BUY STORES, L.P.

**[PROPOSED] ORDER**

Pursuant to Stipulation, it is so ORDERED,

DATED: 12/13/10

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PHYLLIS J. HAMILTON  
United States District Court



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**ATTESTATION**

I hereby certify that for all conformed signatures indicated by a /s/ I have permission to file on behalf of the signatory.

DATED: December 8, 2010

By: /s/ Eve H. Cervantez

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