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19 *Attorneys for Defendants Interstate Battery System of
 20 America, Inc., and Interstate Battery System International, Inc.*

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**
 23 **OAKLAND DIVISION**

24 DENO MILANO,

25 Plaintiff,

26 vs.

27 INTERSTATE BATTERY SYSTEM OF
 28 AMERICA, INC.; INTERSTATE BATTERY
 SYSTEM INTERNATIONAL, INC.,

Defendants.

Case No. C 10-02125 CW

**STIPULATION TO EXTEND DEADLINES
 AND ~~[PROPOSED]~~ ORDER**

1 Plaintiff Deno Milano and Defendants Interstate Battery System of America, Inc., and Interstate
2 Battery System International, Inc., by and through the undersigned attorneys, hereby agree and stipulate
3 as follows:

4 WHEREAS, the Court granted preliminary approval of the parties' Settlement Agreement on
5 December 1, 2011 (Doc. #62);

6 WHEREAS, the Settlement Agreement contemplates injunctive relief, requiring significant
7 changes to the Defendants' business practices;

8 WHEREAS, Defendants notified Class Counsel on Thursday, December 16, 2011, of new events
9 that have called into question Defendants' ability to satisfy a portion of the Settlement Agreement;

10 WHEREAS, the parties are evaluating this new development, and are working together to
11 determine as soon as practicable whether and how the Settlement Agreement might be modified and
12 how the settlement approval process should proceed;

13 WHEREAS, the parties respectfully request that all deadlines imposed in the Settlement
14 Agreement and the Court's preliminary approval order be extended by 60 days; and

15 WHEREAS, should the Court desire, the parties will appear in person or by telephone for a
16 status conference to discuss their efforts.

17 **IT IS HEREBY STIPULATED AND AGREED**, by and through the undersigned attorneys for
18 the parties, subject to the Court's approval, that:

- 19 1. All deadlines set in the Settlement Agreement and the Court's preliminary approval order
20 are extended by 60 days.

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1 2. The parties shall provide the Court with a further status report no later than January 27,
2 2012.

3 **IT IS SO STIPULATED.**

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5 DATED: December 21, 2011

GIRARD GIBBS LLP

6 By: /s/ Eric H. Gibbs

7 David Stein
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Class Counsel

12 DATED: December 21, 2011

JONES DAY

13 By: /s/ Jerome R. Doak

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Attorneys for Defendants

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27 **PURSUANT TO STIPULATION, IT IS ORDERED.**

28 Date: 12/22/2011



Judge Claudia Wilken
United States District Judge