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13 *Attorneys for Plaintiff, DAVID MCDONALD,*
 14 *on behalf of himself and all others similarly situated*
 15 *Attorneys for Defendants on following page.*

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

18 DAVID MCDONALD, on behalf of himself
 and all others similarly situated,
 19 Plaintiffs,
 20 v.

Case No. CV 4:17-cv-04915-HSG
**JOINT STIPULATION AND ORDER
 REGARDING HEARING ON MOTIONS
 FOR PRELIMINARY APPROVAL AND TO
 PARTIALLY STRIKE CLASS CLAIMS**

21 CP OPCO, LLC, dba CLASSIC PARTY
 RENTALS; INSPIRITY PEO SERVICES,
 22 L.P.; APOLLO GLOBAL MANAGEMENT,
 LLC; APOLLO CENTRE STREET
 23 PARTNERSHIP, L.P.; APOLLO
 FRANKLIN PARTNERSHIP, L.P.;
 24 APOLLO CREDIT OPPORTUNITY FUND
 III AIV I LP; APOLLO SK STRATEGIC
 25 INVESTMENTS, L.P.; APOLLO SPECIAL
 OPPORTUNITIES MANAGED
 26 ACCOUNT, L.P.; APOLLO ZEUS
 STRATEGIC INVESTMENTS, L.P.; and
 27 DOES 1-20,
 28 Defendants. /

Date: September 20, 2018
 Time: 2:00 p.m.
 Place: Courtroom 2, 4th
 Floor
 Judge: Hon. Haywood S.
 Gilliam
 Complaint Filed: August 23, 2017
 Trial Date: June 24, 2019

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17 *Attorneys for Defendant, APOLLO GLOBAL MANAGEMENT, LLC*

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1 Plaintiff David McDonald (hereinafter, “Plaintiff”), Defendant Insperity PEO Services,
2 L.P. (“Insperity”), Defendant Apollo Global Management, LLC, Defendant Apollo Centre Street
3 Partnership, L.P.; Defendant Apollo Franklin Partnership, L.P.; Defendant Apollo Credit
4 Opportunity Fund III AIV I LP; Defendant Apollo SK Strategic Investments, L.P.; Defendant
5 Apollo Special Opportunities Managed Account, L.P.; and Defendant Apollo Zeus Strategic
6 Investments, L.P. (hereinafter collectively, the “Apollo Defendants”) (hereinafter collectively, the
7 “Parties”) hereby stipulate as follows.

8 WHEREAS, on August 9, 2018, Plaintiff filed a “Motion for Preliminary Approval of
9 Class Action Settlement” (ECF Nos. 105 to 105-7) (hereinafter, the “Preliminary Approval
10 Motion”);

11 WHEREAS, on August 10, 2018, Insperity filed a “Preemptive Motion to Deny
12 Certification of Portion of Class Alleged” (ECF Nos. 108 to 108-5);

13 WHEREAS, pursuant to the Court’s Order of August 10, 2018 (ECF No. 106), the
14 Preliminary Approval Motion and the Preemptive Motion to Deny Certification of Portion of
15 Class Alleged are set to be heard on September 20, 2018;

16 WHEREAS, the undersigned counsel for Insperity have conflicts with the September 20,
17 2018 date that they have not been able to resolve (previously scheduled deposition and
18 mediation);

19 WHEREAS, both such motions are unopposed.

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1 NOW THEREFORE, the Parties stipulate that the hearings on such motions should be
2 continued to October 4, 2018 at 2:00 p.m., or such other date as may be convenient for the Court.

3 Dated: September 6, 2018

Respectfully submitted,

RUDY, EXELROD, ZIEFF & LOWE, L.L.P.
ALTSHULER BERZON LLP

By: /s/ John T. Mullan
JOHN T. MULLAN
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DAVID MCDONALD, on behalf of
himself and all others similarly situated

13 Dated: September 6, 2018

Respectfully submitted,

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APOLLO GLOBAL MANAGEMENT,
LLC

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1 Dated: September 10, 2018

Respectfully submitted,

2 FISHER & PHILLIPS LLP

3
4 By: /s/ Christopher M. Ahearn
5 MARK JACOBS
6 CHRISTOPHER M. AHEARN
Attorneys for Defendant
INSPERITY PEO SERVICES, L.P.

7 **ECF ATTESTATION**

8 Pursuant to Civil L.R. 5-1(i)(3), the filer attests that concurrence in the filing of this
9 document has been obtained from each of the other signatories thereto.

10 Executed this 10th day of September, 2018, at Costa Mesa, California.

11 /s/ Christopher M. Ahearn
12 Christopher M. Ahearn

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17 **ORDER**

18 GOOD CAUSE APPEARING, based on the foregoing stipulation, the hearings on
19 Insperity's "Motion for Preliminary Approval of Class Action Settlement" and on Plaintiff's
20 "Motion for Preliminary Approval of Class Action Settlement" are continued to October 4, 2018
21 at 2:00 p.m.

22 DATED: September 11, 2018

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24 HON. MAYWOOD S. GILLIAM, JR.
25 U.S. DISTRICT JUDGE
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