

E-Filed 10/6/10

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17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

19 PAUL VELIZ, et al., On Behalf of Themselves)
 20 and All Others Similarly Situated,)
 21 Plaintiffs,)
 22 vs.)
 23 CINTAS CORPORATION, an Ohio)
 corporation, et al,)
 24 Defendants.)

CLASS ACTION
 No. C-03-1180-RS (MEJ)
 REVISED STIPULATION AND
 [PROPOSED] ORDER RE PARTIES' JOINT
 REQUEST TO SPECIALLY SET HEARING
 DATE FOR MOTION FOR PRELIMINARY
 APPROVAL OF CLASS ACTION
 SETTLEMENT AND PLAINTIFFS'
 REQUEST TO FILE OVERSIZED
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN SUPPORT THEREOF

Complaint Filed March 18, 2003

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STIPULATION AND [PROPOSED] ORDER

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1 WHEREAS, plaintiffs *Paul Veliz et al.*, intend to move simultaneously in this Court and in
2 arbitration, respectively, for orders granting preliminary approval of the proposed settlement of this
3 nationwide class and collective action from this Court in connection with Case No. 03-01180 RS
4 (MEJ) and from American Arbitration Association (“AAA”) Arbitrator Bruce Meyerson in
5 connection with the related class arbitration in AAA Case No. 11 160 01323 04;

6 WHEREAS, the parties believe that it will facilitate the proceedings to have Arbitrator
7 Meyerson personally attend and simultaneously hear the motion for preliminary approval of the
8 proposed settlement in the arbitration at the same time and in the same place as the Court’s hearing
9 of the motion for preliminary approval of the proposed settlement in the above-captioned litigation;

10 WHEREAS, Arbitrator Meyerson has informed the parties that he will be available to attend
11 a specially set hearing on plaintiffs’ motion for preliminary approval of the proposed settlement on
12 the afternoon of December 8, 2010, at such time as is convenient to the Court;

13 WHEREAS, this action has spawned lengthy and protracted court and arbitration
14 proceedings over the course of over seven years that are now the subject of the proposed settlement,
15 including litigation before this Court filed on March 18, 2003, AAA arbitration filed on May 4, 2004
16 (AAA Case No. 11 160 01323 04), Defendant Cintas Corporation’s (“Cintas”) petitions to compel
17 arbitration in 70 different judicial districts, which were consolidated into an MDL proceeding before
18 Judge Sandra Brown Armstrong in March 2006 (MDL Case No. 1781), as well as two pending
19 Ninth Circuit Appeals (Case Nos. 07-15009 and 07-16318/07-16645);

20 WHEREAS, the parties are not seeking for the Court to make any ruling in the arbitration or
21 for Arbitrator Meyerson to make any ruling in the litigation, but rather for the Court and Arbitrator
22 Meyerson to separately but simultaneously hear the respective motions for approval of the settlement
23 in the matter before each of them respectively;

24 WHEREAS, plaintiffs believe that the proper and necessary briefing of this motion will
25 exceed the 25-page limit permitted by this Court for a supporting memorandum, particularly given
26 the more than seven-year procedural history of this case, the need to explain the fairness of the
27 global settlement and the requirements to support class certification under Fed. R. Civ. P. 23;

1 WHEREAS, plaintiffs accordingly believe that their memorandum will need up to 50 pages
2 to address adequately their motion for preliminary approval of the settlement;

3 WHEREAS, Cintas takes no position regarding plaintiffs' request to file an oversized
4 supporting memorandum of up to 50 pages;

5 NOW THEREFORE, the parties, through their respective counsel of record, hereby stipulate
6 that plaintiffs' motion for preliminary approval of the proposed class and collective action settlement
7 shall be set for the afternoon of December 8, 2010, at such time as is convenient to the Court and
8 that plaintiffs shall be allowed to file a supporting memorandum in support of up to 50 pages.

9 IT IS SO STIPULATED.

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DATED: October 5, 2010

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Attorneys for Plaintiffs Paul Veliz *et al.*

DATED: October 5, 2010

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Attorneys for Defendant Cintas Corporation

* * *

1 **ORDER ON STIPULATION**

2 Having considered the parties' stipulation and finding good cause therefor,

3 IT IS SO ORDERED. The preliminary approval hearing of the settlement of the above-
4 captioned litigation shall be set for 1: p.m. on December 8, 2010 with the Honorable Richard
5 Seeborg, United States District Judge, presiding, and the preliminary approval hearing of the
6 settlement of the related arbitration may be held at the same time and in the same place with the
7 Honorable Bruce Meyerson, retired Judge of the Arizona Court of Appeal, presiding.

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9 DATED: October 6, 2010



10 THE HONORABLE RICHARD SEEBORG
11 UNITED STATES DISTRICT JUDGE