1	SPIRO MOSS LLP	ATES DISTRICT	
1	Ira Spiro, State Bar No. 67641		
	ira@spiromoss.com Dennis F. Moss	A ORDERED A	
3	dennisfmoss@yahoo.com 11377 W. Olympic Blvd. Fifth Floor	IT IS SO ORDERED	
4	Tel (310) 235-2468, Fax (310) 235-2456 Attorneys for Plaintiffs Thomas Leonard <i>et al.</i> (Additional Attorneys for Plaintiffs at End of Document)		
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6			
7	BINGHAM MCCUTCHEN LLP WENDY M. LAZERSON (SBN 97285)	FERN DISTRICT OF CP	
8	CAROLYN B. HALL (SBN 212311) 1900 University Avenue	9101 RIC -	
9	East Palo Alto, CA 94303-2223 Telephone: (650) 849-4400 Facsimile: (650) 849-4800 wendy.lazerson@bingham.com carolyn.hall@bingham.com		
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11			
12	Attorneys for Defendants BIMBO BAKERIES USA., INC. and GEORGE WESTON BAKERIES, INC.		
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14			
15	UNITED STATES DISTRICT COURT		
16	NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION		
17	SAN JOSE D	IVISION	
18		No. C 05 00829 (JW)	
19	In re BIMBO BAKERIES USA FLSA ACTIONS,	JOINT REPORT RE MEDIATION; PROPOSAL FOR FURTHER	
20		PROCEEDINGS	
21			
22	The Court ordered the parties to report on the results of the mediation by August 12,		
23	2009. Pursuant to stipulation, to allow the parties an opportunity to mediate, the Court stayed its		
24	decision regarding the three pending certification-related motions, which include the parties'		
25	cross-motions regarding class certification under Rule 23 of the Federal Rules of Civil Procedure		
26	and defendants' motion for decertification of the conditionally-certified FLSA class.		
		No. C 05 00829 (JW)	
	JOINT REPORT RE MEDIATION; PROPO	SAL FOR FURTHER PROCEEDINGS	

1	The parties participated in a full-day mediation in San Francisco on August 5, 2009	
2	presided over by retired Superior Court Judge William J. Cahill at JAMS. The parties are	
3	continuing to discuss further negotiations and to exchange information pertinent to the mediation	
4	effort. To enable the parties to complete the exchange of additional information, to	
5	accommodate travel out of the country by Defendant's general counsel through August 24, 2009,	
6	and to accommodate previously scheduled out of state travel by lead counsel for plaintiffs, Ira	
7	Spiro, who has a mediation in New York City during the week of August 10, 2009, the parties	
8	jointly request an opportunity to resume and complete discussions, and to report back to the	
9	Court no later than August 31, 2009.	
10	Therefore, the parties propose the following:	
11	1. That by Monday, August 31, 2009, the parties report to the Court concerning the	
12	status of settlement negotiations.	
13	2 That the Court continue to withhold decision on the three certification-related	
14	motions until Wednesday, September 2, 2009.	
15	Dated: August 11, 2009	SPIRO MOSS LLP
16		
17		By: <u>/s/</u> IRA SPIRO
18		Attorneys for Plaintiffs
19	Dated: August 11, 2009	BINGHAM McCUTCHEN LLP
20		By: /s/
21		WENDY M. LAZERSON
22		Attorneys for Defendant
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26		

No. C 05 00829 (JW)