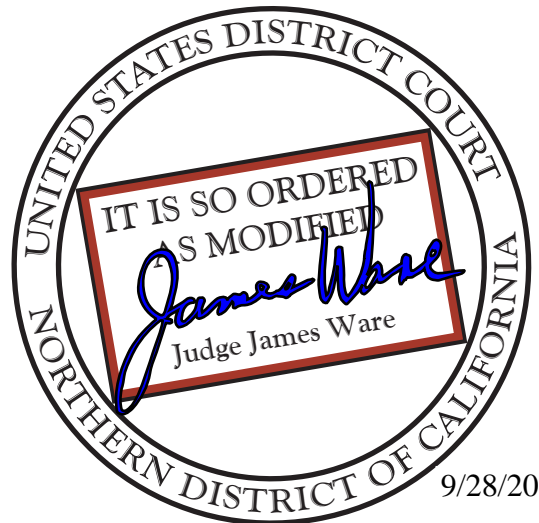


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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN JOSE DIVISION

19 VIVIAN FIORI ARIZA, and ROGGIE  
 20 TRUJILLO,

21 Plaintiffs,

22 v.

23 DELL INC., et al.,

24 Defendants.

Case No. 09 CV 01518 JW

**STIPULATION TO RESCHEDULE  
 HEARING DATE FOR PRELIMINARY  
 APPROVAL OF CLASS SETTLEMENT AND  
 TO RESCHEDULE DATE FOR  
 SUBMISSION OF PRELIMINARY  
 APPROVAL MOTION; [PROPOSED]  
 ORDER**

**CLASS ACTION**

Assigned to the Honorable Judge James Ware,  
 Courtroom 8

Action filed April 7, 2009

1           WHEREAS, in their Stipulation to Stay Case, filed April 12, 2010, the parties requested  
2 that the Court vacate all pending briefing deadlines and hearing dates and stay this case for 60  
3 days to facilitate mediation;

4           WHEREAS, in their Stipulation to Extend Stay of Case, filed June 10, 2010, the parties  
5 requested that the stay of this case be extended for a period of 33 days, until July 15, 2010, at  
6 which time the parties would advise the Court of the status of settlement discussions and request a  
7 further stay, if appropriate.

8           WHEREAS, in a Joint Status Report filed July 15, 2010, the parties informed the Court  
9 that they had reached a settlement in principle to resolve this case;

10           WHEREAS, on September 15, 2010, the Court entered an Order Vacating Preliminary  
11 Pretrial Conference and Setting Hearing for Preliminary Approval of Class Settlement;

12           WHEREAS, in its September 15, 2010 Order the Court set October 18, 2010 at 9:00 a.m  
13 as the hearing date for Preliminary Approval of Class Settlement, and further Ordered that the  
14 parties shall file their Joint Motion for Preliminary Approval and all supporting documents on  
15 October 4, 2010;

16           WHEREAS, the parties are still negotiating the details of the settlement and are not yet in  
17 a position to execute a formal Settlement Agreement ; in addition, Counsel for Dell is not  
18 available for the preliminary hearing on October 18, 2010,

19           THEREFORE, the parties hereby stipulate, subject to Court approval, that the hearing  
20 date for Preliminary Approval of Class Settlement be set for October 25, 2010, and that the Joint  
21 Motion for Preliminary Approval and all supporting documents shall be filed on October 11,  
22 2010.

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DATED this 24th day of Sept., 2010

Respectfully submitted,

**REEVES & BRIGHTWELL L.L.P.**

By /s/ Paul Schlaud  
Paul Schlaud  
Matthew H. Frederick

ATTORNEYS FOR DEFENDANTS DELL INC.,  
DELL CATALOG SALES, L.P., DELL  
PRODUCTS, L.P., DELL MARKETING L.P.,  
DELL MARKETING L.P., LLC, DELL  
MARKETING G.P., LLC, AND DELL USA L.P.

DATED this 24th day of Sept., 2010

**STRANGE & CARPENTER**

By /s/Gretchen Carpenter  
Brian R. Strange  
Gretchen Carpenter

ATTORNEYS FOR PLAINTIFFS VIVIAN FIORI  
ARIZA and ROGGIE TRUJILLO

DATED this 24th day of Sept., 2010

**ROBERTS RASPE & BLANTON, LLP**

By /s/Michael Blanton  
Michael Blanton

ATTORNEYS FOR DEFENDANTS BANCTEC,  
INC. AND WORLDWIDE TECH SERVICES, LLC

PURSUANT TO STIPULATION IT IS ORDERED THAT THE HEARING FOR  
PRELIMINARY APPROVAL OF CLASS SETTLEMENT IS SET FOR OCTOBER 25, 2010,  
**at 9:00 am.** THE JOINT MOTION FOR PRELIMINARY APPROVAL AND SUPPORTING  
DOCUMENTS SHALL BE FILED OCTOBER 11, 2010.

DATED: September 28, 2010

James Ware  
The Honorable James Ware  
United States District Court Judge

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**FILER'S ATTESTATION**

Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Paul Schlaud, attest that concurrence in the filing of this document has been obtained from Gretchen Carpenter and Michael Blanton.

By: /s/ Paul Schlaud  
Paul Schlaud

1 **PROOF OF SERVICE**

2 I, the undersigned, declare that I am a resident of the State of Texas, over the age of  
3 eighteen years and not a party to the within action. My business address is Reeves & Brightwell,  
221 W. 6th Street, Suite 1000, Austin, TX 78701.

4 On September 24, 2010, I served the following document:

5 **STIPULATION TO RESCHEDULE HEARING DATE FOR PRELIMINARY**  
6 **APPROVAL OF CLASS SETTLEMENT AND TO RESCHEDULE DATE FOR**  
7 **SUBMISSION OF JOINT MOTION FOR PRELIMINARY APPROVAL;**  
8 **[PROPOSED] ORDER**

9 X **ELECTRONIC FILING:** the within document, the automatically generated notification  
10 for which constitutes service pursuant to General Order 45, Section IX(A) and (B).

11 Brian R. Strange  
12 lacounsel@earthlink.net  
13 Gretchen Carpenter  
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19 Fax: 310-826-3210

20 Attorneys for Plaintiffs

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26 Fax: 310-988-2723

27 Attorney for Plaintiffs

Michael S. Blanton  
mblanton@rrblp.com  
ROBERTS, RASPE & BLANTON LLP  
Union Bank Plaza  
445 South Figueroa Street  
Suite 3200  
Los Angeles, California 90071  
Telephone: (213) 430-4777  
Fax: (213) 430-4780

Attorney for Defendants BancTec, Inc. and  
QualxServ, LLC

28     **MAIL:** by placing a true copy thereof, addressed as set forth below and enclosed in a sealed  
envelope with postage thereon fully prepaid and deposited for collection and mailing with the  
U.S. Postal Service pursuant to the ordinary business practice of this office.

    **FACSIMILE TRANSMISSION:** a true and correct copy transmitted via facsimile to each  
addressee listed below.

I declare under penalty of perjury under the laws of the State of Texas that the above is  
true and correct. Executed in Austin, Texas on September 24, 2010.

/s/ Paul Schlaud  
Paul Schlaud