

1 KEITH A. JACOBY, Bar No. 150233
LITTLER MENDELSON
2 A Professional Corporation
2049 Century Park East
3 5th Floor
Los Angeles, CA 90067.3107
4 Telephone: 310.553.0308

5 MICHELLE B. HEVERLY, Bar No. 178660
ERICA H. KELLEY, Bar No. 221702
6 LITTLER MENDELSON
A Professional Corporation
7 50 W. San Fernando Street, 15th Floor
San Jose, CA 95113-2431
8

9 Attorneys for Defendant
FEDEX FREIGHT, INC.

10 LAW OFFICE OF MARY-ALICE COLEMAN
11 MARY-ALICE COLEMAN, SBN 98365
JAMES C. ASHWORTH, SBN 151272
12 1109 Kennedy Place, Suite 2
Davis, California 95616
13 Telephone: (916) 498-9131
Facsimile: (916) 304-0880
14

15 LAW OFFICES OF MICHAEL L. CARVER
MICHAEL L. CARVER, SBN 173633
16 MICHELLE M. LUNDE, SBN 246585
1600 Humboldt Road, Suite 3
17 Chico, California 95928
Telephone: (530) 891-8503
18 Facsimile: (530) 891-8512

19 Attorneys for Plaintiffs, ROY D. TAYLOR,
20 ARLETHA FLUD, THOMAS J. WOOD,
ERNEST C. HARVEY, II, individually,
21 and on behalf of all others similarly situated
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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 ROY D. TAYLOR, ARLETHA FLUD,
5 THOMAS J. WOOD, ERNEST C.
6 HARVEY, II, individually, and on behalf
of all other similarly situated,,

7 Plaintiff,

8 v.

9 FEDEX FREIGHT, INC., an Arkansas
10 Corporation, and DOES 1 through 20,
inclusive,

11 Defendant.

Case No. 5:10-CV-02118 LHK

**JOINT STIPULATION AND
PROPOSED ORDER REGARDING
THE MOTION FOR PRELIMINARY
APPROVAL OF CLASS
SETTLEMENT FILING DEADLINE
AS MODIFIED**

12
13 WHEREAS, the parties were previously ordered by this Court on June 10, 2011 to
14 file the Motion for Preliminary Approval of Class Settlement by July 15, 2011 with a hearing date
15 set for September 1, 2011;

16 WHEREAS, the information regarding the breakdown of class members in various
17 positions and the number of work weeks in each position is a relevant fact necessary for Plaintiffs'
18 Motion for Preliminary Approval of the Settlement Agreement;

19 WHEREAS, Defendant FedEx Freight, Inc. has been diligently working on getting
20 the complete information regarding the class members to incorporate into Plaintiffs' motion, but has
21 not completed that task;

22 WHEREAS, the parties believe a one week extension is necessary to finish gathering
23 the necessary information, incorporate it into the papers and finalize the papers related to the Motion
24 for Preliminary Approval of Class Settlement. The parties further stipulate that the case
25 management conference and the hearing date previously set by this Court shall remain on calendar.

1 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and
2 between Plaintiffs Roy Taylor, Arletha Flud, Thomas Wood and Ernest Harvey and Defendant
3 FedEx Freight, Inc., through their respective counsel, and subject to approval by the Court, that the
4 date to file the Motion for Preliminary Approval of Class Settlement be extended to July 22, 2011.
5 There have been no prior requests for extension of this filing deadline, and continuation of the filing
6 date to July 22, 2011, does not affect the August 10, 2011 case management conference date or the
7 September 1, 2011 hearing date previously set by the Court. Further extensions will be disfavored.

8 Dated: July 13, 2011

9 _____
10 /s/
11 MICHELLE B. HEVERLY
12 LITTLER MENDELSON
13 A Professional Corporation
14 Attorneys for Defendant
15 FEDEX FREIGHT, INC.

16 Dated: July 13, 2011

17 _____
18 /s/
19 MICHAEL L. CARVER
20 LAW OFFICES OF MICHAEL L. CARVER
21 Attorneys for Plaintiffs

22 **ORDER**

23 The Court having reviewed the foregoing joint stipulation, IT IS HEREBY
24 ORDERED as follows:

25 The Motion for Preliminary Approval of Class Settlement of the above captioned case must
26 filed by July 22, 2011. All other deadlines previously set by the Court's June 10, 2011
27 Order shall remain on calendar.

28 Dated: July 14, 2011

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Lucy H. Koh
HONORABLE LUCY KOH