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13 Attorneys for Defendant

14 HEARTLAND EMPLOYMENT SERVICES, LLC

15 [Additional Counsel Listed *Infra*]

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

19 ELSY GARCIA DE MIRA, individually,
 and on behalf of all others similarly
 20 situated,

21 Plaintiff,

22 v.

23 HCR MANORCARE; HCR
 MANORCARE MEDICAL SERVICES
 24 OF FLORIDA, LLC; MANOR CARE,
 INC.; and DOES 1 through 10, inclusive,

25 Defendants.
 26

Case No. 12-cv-04092 LHK

CLASS ACTION

**JOINT CASE MANAGEMENT
 STATEMENT; [~~PROPOSED~~] ORDER**

Date: June 26, 2013
 Time: 2:00 p.m.
 Rm: Courtroom 8, 4th Floor

Complaint Filed: August 3, 2012

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1 On May 7, 2013, the Parties engaged in a full-day mediation. The Parties viewed the
2 mediation as a success, but reported that they needed more time for completion. As a result, on May
3 30, 2013, the Court granted the Parties' request to continue the previously-scheduled Case
4 Management Conference until June 26, 2013. [D.E. 39]

5 The Parties have been working diligently over the past several weeks to finalize the core
6 terms of the settlement and expect to circulate a settlement agreement and related exhibits soon.
7 Simultaneously, the Parties are drafting documents for the anticipated motion for preliminary
8 approval which will include a formal Settlement Agreement, Notice and Motion For Preliminary
9 Approval, Supporting Declarations, Notice Materials (*e.g.* Class Notice and Claim Form), and
10 Proposed Order. Additionally, the Parties have been discussing the selection of a third-party
11 administrator and Defendants will be assembling a complete list of proposed settlement class
12 members.

13 Given the foregoing and lead defense counsel's pre-planned vacation from July 11 through
14 21, the Parties anticipate that the completion of the drafting and approval of settlement documents,
15 as well as the motion for preliminary approval, supporting documents, and related data, will be ready
16 for filing on or before Friday, August 9, 2013 (less than 25 business days after the currently
17 scheduled Case Management Conference, excluding lead defense counsel's pre-planned out of state
18 travel).

19 While the Parties are available to update the Court on June 26, 2013, if so desired, given the
20 foregoing, the Parties prefer that the Court vacate the current Case Management Conference and
21 instead simply set a date certain for the filing of preliminary approval papers within the time frame
22 stated above.

SPIRO MOORE LLP

1 Dated: June 18, 2013

2
3 By: /s/ Jennifer L. Connor
4 IRA SPIRO
5 JENNIFER L. CONNOR
6 JUSTIN F. MARQUEZ
7 Attorneys for Plaintiff ELSY DE MIRA and the
8 putative class

9 Dated: June 18, 2013

LITTLER MENDELSON, P.C.

10 By: /s/ Arthur M. Eidelhoch
11 ARTHUR M. EIDELHOCH
12 GALEN M. LICHTENSTEIN
13 Attorneys for Defendant HEARTLAND
14 EMPLOYMENT SERVICES, LLC

15 **[PROPOSED] ORDER**

16 Based on the foregoing,

17 A. The Parties shall file a Motion For Preliminary Approval, along with supporting
18 documents, by August 9, 2013 ~~for, by~~ _____]; AND

19 B. The Case Management Conference, currently calendared for June 26, 2013 is:
20 ~~VACATED, CONTINUED~~ until August 21, 2013, ~~or REMAINS AS SCHEDULED.~~

21 Dated: June 22, 2013

22 
23 Honorable Lucy H. Koh
24 Judge of the United States District Court