

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

	)	Case No. 13-CV-05226-LHK
	)	
IN RE ADOBE SYSTEMS, INC. PRIVACY	)	<b>ORDER VACATING MOTION</b>
LITIGATION	)	<b>HEARING AND CASE</b>
	)	<b>MANAGEMENT CONFERENCE, AND</b>
	)	<b>TO FILE STIPULATION AMENDING</b>
	)	<b>SETTLEMENT AGREEMENT</b>
	)	
	)	
	)	

Before the Court are Plaintiffs’ motion for voluntary dismissal of putative class claims pursuant to settlement, *see* ECF No. 87, as well as Plaintiffs’ attendant administrative motion to seal, *see* ECF No. 86, and motion for approval of attorney’s fees, *see* ECF No. 97. The Court finds these matters suitable for decision without oral argument under Civil Local Rule 7-1(b) and hereby VACATES the motion hearing and case management conference set for August 13, 2015, at 1:30 p.m.

Having reviewed the parties’ Settlement Agreement, the Court noticed a small error. The introductory paragraph to Part III.A of the Settlement Agreement says: “This Agreement shall be conditioned upon and shall be effective only upon the occurrence of all of the following events.” ECF No. 87-2 at 13. One of those “events,” Part III.A.1 then states, is that “Lead Plaintiffs’ Counsel shall move the Court on or before May 28, 2015 for an Order Granting Approval of the Voluntary Dismissal of Putative Class Claims, and such motion is granted by the Court.” *Id.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

(emphasis added). The problem is that even though Plaintiffs’ counsel anticipated filing the motion for approval of voluntary dismissal of putative class claims pursuant to settlement by May 28, 2015, *see* ECF No. 79, Plaintiffs did not file their motion until June 9, 2015, *see* ECF No. 87.

Accordingly, the Court hereby ORDERS the parties to file a stipulation amending Part III.A.1 of the Settlement Agreement to substitute “June 9, 2015” for “May 28, 2015.” The parties shall file their stipulation no later than August 13, 2015.

**IT IS SO ORDERED.**

Dated: August 12, 2015

  
\_\_\_\_\_  
LUCY H. KOH  
United States District Judge