

1 Don Springmeyer  
 Nevada Bar No. 1021  
 2 Bradley S. Schrager  
 Nevada Bar No 10217  
 3 WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP  
 3556 E. Russell Road, Second Floor  
 4 Las Vegas, Nevada 89120  
 Telephone: 702-341-5200  
 5 Facsimile: 702-341-5300  
 dspringmeyer@wrslawyers.com  
 6 bschrager@wrslawyers.com

7 *Attorneys for Plaintiffs* MAUREEN CLARK and  
 SONYA ALEXANDER

8 *(Additional counsel listed in signature page)*  
 9

10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 MAUREEN CLARK and SONYA  
 ALEXANDER, individually, and on behalf of  
 13 all others similarly situated,

14 Plaintiff,

15 vs.

16 BANK OF AMERICA, N.A.,

17 Defendant.

CASE NO. 2:16-cv-02228-GMN-VCF

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING HEARING AND  
 SUPPLEMENTAL BRIEFING ON  
 PLAINTIFFS' UNOPPOSED MOTION  
 FOR APPROVAL OF FLSA  
 COLLECTIVE SETTLEMENT, NAMED  
 PLAINTIFF SERVICE PAYMENTS,  
 AND ATTORNEY'S FEES AND COSTS**

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1 This Stipulation is entered into with regard to the following facts:

2 On April 15, 2020, Plaintiffs Maureen Clark and Sonya Alexander (“Plaintiffs”) filed an  
3 Unopposed Motion for Approval of FLSA Collective Settlement, Named Plaintiff Service  
4 Payments, and Attorney’s Fees and Costs (“Motion”)[ECF No. 115].

5 On August 31, 2020, the Court issued an Order denying Plaintiffs’ Motion in part and  
6 otherwise deferring ruling on the Motion [ECF No. 118]. The Order set a hearing for September  
7 30, 2020 “to explain to the Court why the settlement should be approved and the case dismissed”  
8 and specified that, by September 23, 2020, the parties should “file supplemental briefing to aid in  
9 the Court’s decision as to the issues identified herein.”

10 Since issuance of the Court’s August 31, 2020 Order, counsel for the parties have been  
11 diligently conferring to address the portions of the Court’s Order which raised concerns with  
12 certain provisions of the parties’ settlement agreement, in particular the portions providing for  
13 notice of the settlement to Collective Members as part of a one-step settlement approval process  
14 pursuant to the Fair Labor Standards Act and the definition in para. 1.2 of “Released Claims.”

15 Counsel for the parties are still in the process of conferring about addressing the above-  
16 specified issues with the Court and believe they need an additional two weeks to either finalize a  
17 joint submission that assuages the Court’s concerns, if possible, and, if not, to submit their  
18 separate supplemental briefing as ordered by the Court.

19 **STIPULATION**

20 Based on the above facts, Plaintiffs and Defendant, through their respective counsel of  
21 record, hereby stipulate and request that the Court continue the September 30, 2020 hearing  
22 regarding settlement approval and the deadline to submit their supplemental briefing by two  
23 weeks, or such later date that is convenient to the Court, to afford counsel for the parties  
24 sufficient additional time to confer about addressing the portions of the Court’s Order which set  
25 forth concerns with the parties’ settlement agreement, as specified above.

1 DATED: September 23, 2020.

2 **WOLF, RIFKIN, SHAPIRO,**  
3 **SCHULMAN & RABKIN, LLP**

**MCGUIREWOODS LLP**

4 By: /s/ Don Springmeyer  
5 Don Springmeyer - NSB 1021  
6 Bradley S. Schrager - NSB 10217  
7 3556 E. Russell Road, Second Floor  
8 Las Vegas, Nevada 89120  
9 Telephone: 702-341-5200/Fax: 702-341-5300

By: /s/ Matthew C. Kane  
Matthew C. Kane (admitted *pro hac vice*)  
(California SBN #171829)  
Remy Kessler (admitted *pro hac vice*)  
(California SBN #123165)  
1800 Century Park East, 8th Floor  
Los Angeles, California 90067-1501  
Telephone: 310.315.8200  
Facsimile: 310.315.8210

Kevin J. Stoops (admitted *pro hac vice*)  
(Michigan SBN # P64371)

8 **SOMMERS SCHWARTZ, P.C.**

9 One Towne Square, 17th Floor  
10 Southfield, Michigan 48076  
11 Telephone: 248.236.5752  
12 Facsimile: 248.936.2143  
13 kstoops@sommerspc.com

Sheri M. Thome  
Nevada Bar No. 8657  
Chad C. Butterfield  
Nevada Bar No. 10532

**WILSON, ELSER, MOSKOWITZ,**  
**EDELMAN & DICKER LLP**

300 South 4th Street, 11th Floor,  
Las Vegas, Nevada 89101  
Telephone: 702.727.1400  
Facsimile: 702.727.1401

Jason T. Brown (admitted *pro hac vice*)  
(New Jersey SBN# 035921996)  
Nicholas Conlon (admitted *pro hac vice*)  
(New Jersey SBN# 034052013)

**BROWN, LLC**

14 111 Town Square Place, Suite 400  
15 Jersey City, New Jersey 07310  
16 Telephone: 201.630.0000  
17 jtb@jtblawgroup.com  
18 nicholasconlon@jtblawgroup.com

*Attorneys for Defendant*  
BANK OF AMERICA, N.A.

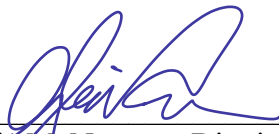
17 *Attorneys for Plaintiffs* MAUREEN CLARK  
18 and SONYA ALEXANDER

19 **ORDER**

20 Based on the above Stipulation, and for good cause shown, the Court hereby continues  
21 the hearing on Plaintiffs' Unopposed Motion for Approval of FLSA Collective Settlement,  
22 Named Plaintiff Service Payments, and Attorney's Fees and Costs to October 14, 2020, at  
23 12:00 p.m., via Zoom Videoconference. The parties shall have until October 7, 2020, to file  
24 their supplemental briefing.

25 IT IS SO ORDERED.

26 Dated this 24 day of September 2020.

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Gloria M. Navarro, District Judge  
United States District Court

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 23rd day of September, 2020, a true and correct copy  
3 of **STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING AND**  
4 **SUPPLEMENTAL BRIEFING ON PLAINTIFFS' UNOPPOSED MOTION FOR**  
5 **APPROVAL OF FLSA COLLECTIVE SETTLEMENT, NAMED PLAINTIFF SERVICE**  
6 **PAYMENTS, AND ATTORNEY'S FEES AND COSTS** was served via the United States  
7 District Court CM/ECF system on all parties or persons requiring notice.

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9 */s/ Matthew C. Kane*  
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11 MATTHEW C. KANE  
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