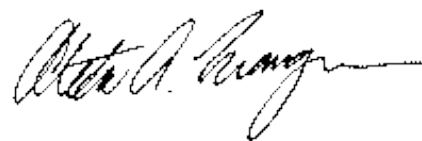


Unopposed Motion GRANTED.



**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CHERYL PHIPPS, BOBBI MILLNER,)
AND SHAWN GIBBONS, on behalf of)
themselves and all others similarly situated,)

Plaintiffs,)

v.)

WAL-MART STORES, INC.,)

Defendant.)

Civil No. 3:12-01009
Judge Trauger

**WAL-MART STORES, INC.’S MOTION FOR JUDICIAL NOTICE IN SUPPORT OF
MOTION TO DISMISS**

Defendant Wal-Mart Stores, Inc. respectfully requests, pursuant to Federal Rule of Evidence 201, that this Court take judicial notice of certain documents attached as Exhibits 1 – 6 to the Declaration of Catherine Conway (the “Conway Declaration”) filed concurrently herewith in support of Wal-Mart’s Motion to Dismiss. This motion is based on the points and authorities in Wal-Mart’s brief in support of this motion filed herewith, the Conway Declaration, the pleadings, records, and papers on file in this action, and such other evidence and oral argument as may be presented at any hearing on this Motion.

Dated: October 25, 2012

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: /s/Theodore J. Boutrous, Jr.

Theodore J. Boutrous, Jr.
Catherine Conway
GIBSON, DUNN & CRUTCHER LLP