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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHRISTOPHER JULIAN, MARK PACANA,
PAUL FISKRATTI, and WAYNE LEWALD,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

TTE TECHNOLOGY, INC., dba TCL NORTH
AMERICA,

Defendant.

CASE NO. 3:20-CV-02857-EMC

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER CONTINUING
DEADLINE TO FILE MOTION FOR
PRELIMINARY APPROVAL OF CLASS
SETTLEMENT**

Judge: Hon. Edward M. Chen
Crtrm: 5 – 17th Floor

1 Plaintiffs Mark Pacana, Paul Fiskratti, and Wayne Lewald (collectively, “Plaintiffs”)¹ and
2 Defendant TTE Technology Inc. dba TCL North America (“TCL”), by and through their
3 respective counsel of record, hereby stipulate and agree to the following, subject to Court
4 approval:

5 WHEREAS, Plaintiffs filed their Motion for Class Certification (Dkt. 86) (the “Motion”)
6 on August 27, 2021 and TCL filed its Opposition (Dkt. 102) on October 8, 2021;

7 WHEREAS, on October 15, 2021, the parties participated in a full day of mediation before
8 the Hon. Jay C. Gandhi (Ret.) of JAMS and reached a settlement in principle;

9 WHEREAS, on October 22, 2021, this Court granted the parties’ stipulation to vacate case
10 deadlines pending case settlement and set the deadline to file a motion for preliminary approval of
11 class settlement for December 6, 2021 (Dkt. 109);

12 WHEREAS, the parties previously requested and the Court granted a continuance of the
13 deadline to file a motion for preliminary approval from December 6, 2021 to January 28, 2022
14 (Dkt. 111);

15 WHEREAS, the parties are continuing to work in good faith on a final settlement
16 agreement;

17 WHEREAS, the parties have conferred regarding a brief continuance of the deadline to file
18 a motion for preliminary approval of class settlement, and respectfully jointly request, pursuant to
19 Civil L.R. 6-2, that the Court continue the deadline to file a motion for preliminary approval of
20 class settlement by two weeks from January 28, 2022 to **February 11, 2022**.

21 WHEREAS, good cause exists for this request because the parties are working diligently,
22 cooperatively, and in good faith on a final settlement agreement, but require a brief additional
23 period of time to memorialize the settlement agreement and agree on the proposed notice and
24 proposed settlement funding dates;

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28 ¹ Plaintiff Christopher Julian has withdrawn as a named plaintiff.

1 WHEREAS, the short requested continuance of the deadline to file the motion for
 2 preliminary approval of class settlement will neither prejudice the interests of the parties or the
 3 Court nor affect any other dates set by the Court;

4 WHEREAS, the parties have sought four prior extensions in this matter in total: (i)
 5 Plaintiffs extended TCL's deadline to respond to the Complaint by 45 days; (ii) TCL extended
 6 Plaintiffs' deadline to oppose TCL's Motion to Dismiss the First Amended Complaint by one
 7 business day, and TCL's deadline to file its reply brief by one business day; (iii) the parties
 8 previously extended the deadline to respond to Plaintiffs' Second Amended Complaint; and (iv)
 9 the Court previously extended the deadline to file a motion for preliminary approval to January 28,
 10 2022 (Dkt. 111).

11 NOW, THEREFORE, pursuant to Civil L.R. 6-2, and subject to the approval of the Court,
 12 the parties hereby stipulate and respectfully request that the Court continue the deadline to file a
 13 motion for preliminary approval of class settlement, currently scheduled for January 28, 2022, by
 14 two weeks to **February 11, 2022**.

15
 16 Dated: January 20, 2022

DLA PIPER LLP (US)

17
 18 By: /s/ Christopher M. Young²

19 ISABELLE L. ORD
 20 CHRISTOPHER M. YOUNG
 21 ALEXANDER E. WOLF
 22 Attorneys for Defendant
 23 TTE TECHNOLOGY, INC.

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 28 ² Pursuant to N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that the concurrence to the filing of this document has been obtained from each signatory hereto.

1 Dated: January 20, 2022

CRUEGER DICKINSON LLC

2
3 By: /s/ Ben Kaplan

CHARLES J. CRUEGER

BEN KAPLAN

GREG G. COLEMAN

Attorneys for Plaintiffs

CHRISTOPHER JULIAN, MARK PACANA,

PAUL FISKRATTI, and WAYNE LEWALD

~~PROPOSED~~ ORDER

Having considered the parties' Stipulation, and good cause appearing, the Court hereby GRANTS the parties' Stipulation. It is HEREBY ORDERED that:

1. The deadline to file a motion for preliminary approval of class settlement, currently scheduled for January 28, 2022, is rescheduled to **February 11, 2022**.

IT IS SO ORDERED.

Dated: January 21, 2022



The Honorable Edward M. Chen
United States District Judge