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11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF SAN DIEGO**

14 IVAN VILLALOBOS, as an individual, on
15 behalf of himself, and all persons similarly
situated,

16 Plaintiff,

17 v.

19 SALEM & BIDDLE, INC., d.b.a.
SECURITY FIRST, a California
20 corporation authorized to do business in
the state of California; SAYFE A.
21 SALEM, an individual; and DOES 1 to
10 inclusive,

22 Defendant.

Case No.: 37-2019-00010804-CU-OE-CTL

[Assigned to Hon. Richard E. L. Strauss,
Dept. C-75]

CLASS & REPRESENTATIVE ACTION

**JOINT STIPULATION REGARDING
NEW FINAL APPROVAL HEARING
DATE AND ~~PROPOSED~~ ORDER
THEREON**

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1 Plaintiff Ivan Villalobos (“Plaintiff”) and Defendant Salem & Biddle, Inc. d.b.a.
2 Security First (“Defendant”) (collectively, the “Parties”) enter into the following stipulation
3 and mutually request the Court to enter an order in accordance therewith.

4 WHEREAS, on August 13, 2020 the Court issued an Order Granting Preliminary
5 Approval of Class Action Settlement in this case;

6 WHEREAS, a Final Approval of Class Action Settlement Hearing in this action is
7 currently set for October 30, 2020;

8 WHEREAS, a hearing on Class Counsel’s application for attorneys’ fees, costs, and the
9 Class Representative Service Award to the Class Representative (“Motion for Attorney’s Fees
10 and Costs Hearing”) is also currently set for October 30, 2020;

11 WHEREAS, there have been administrative delays with respect to granting preliminary
12 approval of the settlement and delivering necessary class data to the third-party settlement
13 administrator;

14 WHEREAS, the settlement administrator has not yet mailed out the Court-approved
15 Notice of Class Action Settlement to the Class Members, but will be ready to send the Notice
16 within the next couple of days;

17 WHEREAS, Class Members have 45 days after the initial mailing of the Notice of Class
18 Action Settlement to exclude themselves from the settlement, or to correct information
19 included in the Employment Information Sheet, such as the number of eligible work weeks
20 worked;

21 WHEREAS, given the fact that the deadline for Class Members to submit a request for
22 exclusion is 45 days after the initial mailing of the Notice of Class Action Settlement, which
23 has not yet occurred, at this juncture the exclusion deadline would be after November 1, 2020;


24 WHEREAS, Plaintiff must file his Motion for Final Approval of Class Action
25 Settlement and Motion for Attorney’s Fees and Costs no later than 16 court days before the
26 Final Approval Hearing;

1 WHEREAS, in light of the circumstances, the Parties stipulate and request the Court to
2 set a new date for Final Approval of Class Action Settlement Hearing and the Motion for
3 Attorney's Fees and Costs Hearing which should be no earlier than December 15, 2020;

4 **IT IS SO STIPULATED.**


5 Dated: September 16, 2020

CLARK LAW GROUP

6
7 By: 
8 R. Craig Clark
9 Alicja A. Urtnowski
Attorneys for Plaintiff

10 Dated: September 16, 2020

BERGER, WILLIAMS & REYNOLDS, LLP


11
12 By: 
13 Harvey Berger
14 Sara Waller
Attorneys for Defendants

[PROPOSED] ORDER

15 Pursuant to the stipulation of the Parties and good cause appearing, IT IS ORDERED
16 that the Final Approval of Class Action Settlement Hearing and the Motion for Attorney's Fees
17 and Costs Hearing shall be held on Dec. 11, 2020 at 9:00am in Department C-75 of the
18 San Diego County Superior Court, located at 330 West Broadway, San Diego, California
19 92101.

20 **IT IS SO ORDERED.**

21 Dated: 09/24/2020


22 Honorable Richard E. L. Strauss
23 Judge, San Diego County Superior Court
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