

1 **HEDIN HALL LLP**
Frank S. Hedin (SBN 291289)
2 fhedin@hedinhall.com
David W. Hall (SBN 274921)
3 dhall@hedinhall.com
Four Embarcadero Center, Suite 1400
4 San Francisco, California 94104
Tel: (415) 766-3534; Fax: (415) 402-0058

5 *Attorneys for Plaintiffs Lloyd and Mena*

6 **BOIES SCHILLER FLEXNER LLP**
7 ALBERT GIANG, State Bar No. 224332
agiang@bsfllp.com
8 MICHAEL D. ROTH, State Bar No. 217464
mroth@bsfllp.com
9 725 South Figueroa Street, 31st Floor
Los Angeles, California 90017-5524
10 Telephone: (213) 629-9040
Facsimile: (213) 629-9022

11 *Attorneys for Defendant Eaze Solutions, Inc.*

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN FRANCISCO DIVISION**
16

17 KRISTINE LLOYD; and JULIUS MENA,
18 individually and on behalf of all others
similarly situated,

19 Plaintiff,

20 v.

21 EAZE SOLUTIONS, INC.,

22 Defendant.

Case No. 18-CV-05176-JD

[Related to Case No. 18-CV-02598-JD]

**STIPULATION TO CONTINUE STAY
PENDING FILING OF MOTION TO
APPROVE SETTLEMENT; [PROPOSED]
ORDER**

Judge:

Hon. James Donato

Complaint Filed:

August 23, 2018

Trial Date:

Not Set

23
24
25
26
27
28

1 This Stipulation is made between Plaintiffs Kristine Lloyd (“Lloyd”) and Julius Mena
2 (“Mena”) (collectively, “Plaintiffs”) and Defendant Eaze Solutions, Inc. (“Eaze”), by and through
3 their counsel of record:

4 WHEREAS, Plaintiffs filed a First Amended Complaint in this Telephone Consumer
5 Protection Act (“TCPA”) class action on March 30, 2019;

6 WHEREAS, on May 9, 2019, the Court held a hearing and denied Plaintiffs’ Motion for
7 Preliminary Approval of Class Action Settlement;

8 WHEREAS, following the denial of the preliminary approval motion, the Parties worked
9 diligently to reach a revised settlement agreement that addressed the Court’s concerns;

10 WHEREAS, on July 15, 2019, the Parties filed a Notice of Revised Settlement and
11 requested a 60-day stay to document the revised settlement agreement;

12 WHEREAS, on July 18, 2019, the Court stayed this case for 60 days while the Parties
13 document their proposed revised settlement, which stay is set to expire on September 16, 2019;

14 WHEREAS, on September 17, 2019, the Court approved the Parties’ stipulated request for
15 an additional 30-day stay to continue preparing the revised settlement materials;

16 WHEREAS, the Parties have finished drafting and have execution copies of the formal
17 settlement agreement, and are presently working diligently with KCC, LLC, the Parties’ proposed
18 Settlement Administrator, to finalize the proposed notice documents to be attached to the
19 settlement agreement and sent to class members, and a preliminary approval motion;

20 WHEREAS, subject to Court approval, the Parties stipulate to continue the stay of this
21 action for another seven days, up to and including, October 23, 2019;

22 THEREFORE, subject to the approval of the Court pursuant to Civil Local Rules 6-2 and 7-
23 12, the Parties hereby stipulate to stay this action for an additional seven days, up to and including,
24 October 23, 2019.

25 **IT IS SO STIPULATED.**

26 Dated: October 16, 2019

27 By: /s/ Michael D. Roth
28 BOIES SCHILLER FLEXNER LLP

By: /s/ Frank Hedin
HEDIN HALL LLP

1 Albert Giang (SBN 224332)
2 agiang@bsfllp.com
3 Michael D. Roth (SBN 217464)
4 mroth@bsfllp.com
725 S Figueroa Street, 31st Floor
Los Angeles, California 90017

Frank S. Hedin (SBN 291289)
fhedin@hedinhall.com
David W. Hall (SBN 274921)
dhall@hedinhall.com
Four Embarcadero Center, Suite 1400
San Francisco, California 94104

5 *Attorneys for Defendant Eaze Solutions,*
6 *Inc.*

Attorneys for Plaintiffs Kristine Lloyd
and Julius Mena

7
8 **ATTESTATION**

9 Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this
10 document has been obtained from the signatories above.

11 By: /s/ Frank S. Hedin
12 Frank S. Hedin

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

PURSUANT TO STIPULATION, AND GOOD CAUSE SHOWING, IT IS HEREBY ORDERED THAT:

The stay of this action is continued for an additional seven days, up to and including, October 23, 2019.

IT IS SO ORDERED.

DATED: _____, 2019

By _____
HONORABLE JAMES DONATO
United States District Judge

Prepared By:

/s/ Frank S. Hedin

FRANK S. HEDIN
HEDIN HALL LLP
Attorneys for Plaintiffs

DECLARATION OF FRANK S. HEDIN

I, FRANK S. HEDIN, declare and state as follows:

1. I am an attorney admitted to practice in the State of California and a member of the bar of this Court. I am a partner at Hedin Hall LLP, counsel for Plaintiffs. I submit this declaration in support of Stipulation to Continue Stay. I have personal knowledge of the facts stated herein, and could and would testify competently thereto if called as a witness in this matter.

2. This Telephone Consumer Protection Act class action was originally filed on August 23, 2018.

3. On September 14, 2018, the Parties previously stipulated for an extension of time for Eaze to respond to the original Complaint.

4. On October 22, 2018, the Court granted the Parties' stipulation to modify the briefing schedule and hearing date on Eaze's motion to dismiss the Complaint.

5. On January 16, 2019, the Parties filed a Notice of Settlement regarding the original settlement of this action, and the Court terminated the pending motion to dismiss and vacated the hearing date regarding the motion.

6. Plaintiffs filed a First Amended Complaint in this class action on March 30, 2019, and on the same day also filed a Motion for Preliminary Approval of Class Action Settlement.

7. On May 9, 2019, the Court held a hearing and denied Plaintiffs' Motion for Preliminary Approval of Class Action Settlement.

8. Following the denial of the preliminary approval motion, the Parties worked diligently to reach a revised settlement agreement that addressed the Court's concerns.

9. On July 15, 2019, the Parties filed a Notice of Revised Settlement and requested a 60-day stay to document the revised settlement agreement.

10. On July 18, 2019, the Court stayed this case for 60 days for the Parties to document their proposed settlement, which stay was set to expire on September 16, 2019.

11. On September 17, 2019, the Court approved the Parties' stipulated request for an additional 30-day stay to continue preparing the revised settlement materials.

1 12. The Parties have finished drafting and have execution copies of the formal
2 settlement agreement, and are presently working diligently with KCC, LLC, the Parties' proposed
3 Settlement Administrator, to finalize the proposed notice documents to be attached to the
4 settlement agreement and sent to class members, and a preliminary approval motion.

5 13. The Parties require an additional seven days to finalize the notice documents to be
6 sent to class and the preliminary approval motion.

7 14. The Parties have not requested any time modifications in this case, other than those
8 set forth above.

9 I declare under penalty of perjury under the laws of the United States that the foregoing is
10 true and correct.

11 Executed October 16, 2019, at Miami, Florida.

12

13

 /s/ Frank S. Hedin
FRANK S. HEDIN

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28