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Counsel for Plaintiff

[counsel for Defendants listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH CARLOTTI, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

ASUS COMPUTER INTERNATIONAL;
ASUSTEK COMPUTER INC., and DOES 1-50,

Defendants.

CASE NO. 18-CV-03369-DMR

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING DATES FOR
FINAL APPROVAL OF CLASS
SETTLEMENT**

Courtroom 4, 3rd Floor
Honorable Donna M. Ryu

1 Pursuant to Local Rules 6-2 and 7-12, the parties, by and through their respective
2 attorneys, hereby stipulate to and request that the Court order the following changes to the dates
3 relating to final approval of the class settlement in this case:

4 **RECITALS**

5 WHEREAS, in granting preliminary approval of the class settlement in this case, the
6 Court set the following deadlines:

7 April 3, 2020: last day for class members to submit claim forms, objections;

8 April 17, 2020: last day for the Claim Administrator to file its declaration and for Class
9 Counsel to file a list of exclusions, reply to objections, and file for final
10 approval.

11 Dkt. #71.

12 WHEREAS, the Court scheduled the hearing for final approval of the class settlement for
13 April 30, 2020, at 1:00 PM. Dkt. #71. The hearing was subsequently scheduled as a telephonic
14 conference. Dkt. #74.

15 WHEREAS, the deadline for class members to submit claims and objections has passed
16 and the Claim Administrator has reported that, as of April 7, 2020, 31,916 claims were submitted
17 and no objections to the class settlement were submitted.

18 WHEREAS, the number of claims submitted exceeds the number of the subject laptops
19 sold by approximately 5,000. Further, the COVID-19 health crisis and the state's extensive stay-
20 at-home orders have negatively affected the Claim Administrator's ability to review and process
21 the claims. The Claim Administrator believes it will take several weeks to process the claims and
22 that it will not be completed by April 17, 2020.

23 WHEREAS, Plaintiff also proposes to send a supplemental email notice to more than
24 20,000 claimants with deficient claims to give them an additional opportunity to provide a valid
25 serial number or proof of purchase in the event that the claimant failed to do so in connection with
26 his or her original submission.

THE PARTIES HEREBY STIPULATE AND AGREE THAT:

The deadlines previously set for April 17, 2020 (for the Claim Administrator to file its declaration and for Class Counsel to file a list of exclusions, reply to objections, and file for final approval) are continued to May 29, 2020. The hearing on final approval of the class settlement will be moved to June 11, 2020, at 1:00 PM⁰ The hearing will be held in person unless the court has not yet re-opened for in-person hearings, in which case it will take place telephonically.

IT IS SO STIPULATED.

Dated: April 14, 2020

/s/Stephen M. Raab /

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Attorneys for Plaintiff and the Class

/s/ Robert B. Bader (by concurrence) /

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Attorneys for Defendants
ASUS Computer International and ASUSTek
Computer Inc.

IT IS SO ORDERED.

Date: April 15, 2020



Hon. Donna M. Ryu
U.S. Magistrate Judge

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ATTESTATION

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other signatory.

DATED: April 14, 2020 **GUTRIDE SAFIER LLP**

By: /s/ Stephen M. Raab /

Stephen M. Raab